

School Year | 2020- 2021



# Condigo de Conducta Estudiantil

## Mooresville Graded School District



# MOORESVILLE GRADED SCHOOL DISTRICT

17 de agosto de 2020

Estimados padres:

La Junta de Educación y el personal del Distrito Escolar Graduado de Mooresville están comprometidos a mantener un clima seguro y ordenado en nuestras escuelas y en todas las actividades escolares. Actualizamos nuestro *Código de Conducta Estudiantil* cada año para garantizar una disciplina justa y efectiva. Este folleto incluye nuestras expectativas de una conducta adecuada, así como las consecuencias detalladas de una conducta inapropiada.

Con el uso extensivo de la tecnología de nuestro distrito a través de la Iniciativa de conversión digital en todos los niveles de grado, preste especial atención a nuestras políticas con respecto al uso seguro y aceptable de la tecnología. Esta información se presenta en la Regla 27 del código de disciplina.

La disciplina, para ser verdaderamente efectiva, debe ser un esfuerzo conjunto entre el hogar y la escuela. Tómese un tiempo para leer detenidamente la información adjunta, **firmé la hoja de verificación en la última página y regrese la hoja a la persona adecuada en su escuela.** También hay otras notificaciones públicas incluidas en este manual. Asegúrese de leer esta política a fondo.

Le pedimos su apoyo para que su hijo siga todas las reglas y regulaciones identificadas. El comportamiento apropiado está directamente relacionado con un ambiente de aprendizaje positivo, así como con el logro académico de los estudiantes. Si tiene alguna pregunta sobre cualquiera de los contenidos, comuníquese con el director de su hijo. Trabajemos juntos por todos nuestros hijos.

Atentamente,

Stephen Mauney  
Superintendente

## Escuela Nivel Administración

South Elementary	Dr. Mark Cottone, Director	704-658-2650
Escuela Primaria Park View	Dra. Misha Rogers, Directora	704-658-2550
Rocky River Elementary	Dr. Chuck LaRusso, Director	704-658-2740
East Mooresville Intermediate	Sra. Meghan McGrath, Director	704-658-2700
Mooresville Intermedia	Dr. Quinetta Hall Pratt, Directora	704-658-2680
Mooresville Middle	Ms Ayana Robinson, Directora	704-658-2720
Mooresville High	Sr. Luke Brown, Director	704-658-2580
NF Woods	Sr. Lorenzo Johnson, Jr. Director	704-658-2500

## MGSD Administración

Dr. Stephen Mauney	Superintendente
Dr. Scott Smith	Asistente del Superintendente Primaria Instrucción y Tecnología
Dr. Todd Black	Superintendente Asistente de Instrucción Secundaria y CTE
Sra. Terry Haas	Directora Financiera
Dra. Ingrid Medlock	Asistente Superintendente de Recursos Humanos
Dr. Michael Royal	Directora de Operaciones
Sra. Tanae Sump-McLean	Directora de Comunicaciones

## Junta Escolar de MGSD

Sr. Roger Hyatt	Presidente
Sr. Greg Whitfield	Vicepresidente
Dr. Debbie Marsh	Escuela demiembro del Consejo
Sra. Kerry Pennell	EscuelaConsejero
Sr. J. Leon Pridgen	Escuelamiembro de la junta

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## **Distrito Escolar Graduado de Mooresville** **Código de Conducta Estudiantil del**

### **Prefacio**

El propósito de este código es promover un ambiente de aprendizaje seguro y saludable al mismo tiempo que permite a los estudiantes convertirse en ciudadanos responsables. Se alienta a los maestros, el personal y los administradores a utilizar medidas disciplinarias positivas en la medida de lo posible. Además, deben estar familiarizados con una serie de acciones disciplinarias y utilizarlas, reservando medidas más serias para comportamientos más serios.

Sin embargo, es importante que todos los estudiantes y miembros del personal entiendan que el comportamiento violento, irrespetuoso o perturbador es inaceptable. Este código se basa en los Estatutos Generales de Carolina del Norte. Los estudiantes que violen estas políticas están sujetos a medidas disciplinarias por parte de los funcionarios escolares. Las violaciones que involucren armas, asaltos y / o sustancias controladas se informarán a los oficiales de la ley, y los estudiantes pueden ser procesados dentro del sistema judicial.

El Estatuto General 115C-307 declara que “será el deber de todos los maestros, incluidos los maestros estudiantes, maestros sustitutos, maestros voluntarios y asistentes de maestros cuando el director o el maestro supervisor otorgue autoridad sobre alguna parte del programa escolar para mantener una buena Orden y disciplina en sus respectivas escuelas. "El director está además autorizado por GS 115C-288" para ejercer disciplina sobre los alumnos de la escuela "y para" asignar deberes a los maestros con respecto al bienestar general y la atención médica de los estudiantes. .”

Se espera que los estudiantes demuestren respeto por ellos mismos y por los demás, como se refleja en su vestimenta, decoro e interacciones con el personal de la escuela y otros estudiantes. Además, se espera que demuestren una ciudadanía responsable trabajando cooperativamente con el personal para promover un clima positivo en la escuela.

Las siguientes reglas prohíben ciertos comportamientos de los estudiantes y someten a aquellos que los violan a medidas disciplinarias, incluida la posibilidad de suspensión o expulsión (GS 115C-288, 390, 391). Además, tenga en cuenta que los comportamientos específicos que son contrarios a la ley también pueden conducir a un proceso dentro del sistema legal.

Si alguna de las disposiciones descritas en el Código de Conducta Estudiantil está en conflicto con los estatutos de Carolina del Norte, la HB 736 o la ley federal, las disposiciones de la ley federal o de Carolina del Norte controlarán y reemplazarán tales disposiciones inconsistentes.

### **Descargo de responsabilidad**

Los administradores escolares se reservan el derecho de manejar cualquier incidente que no esté cubierto o mencionado en este manual de manera oportuna y apropiada. La violación grave o repetida de una o más reglas sugeriría la necesidad de una sólida comunicación entre padres, alumnos y administradores, la coordinación y la consideración de asistencia externa y podría dar lugar a una suspensión y una posible recomendación de suspensión o expulsión a largo plazo. En los casos en que

se determinan factores agravantes o atenuantes, se puede usar el criterio del director para determinar las consecuencias apropiadas por la violación del Código de conducta del estudiante.

### **Definiciones**

**Configuración alternativa** : programas a tiempo parcial o completo, donde sea que se encuentren, brindan instrucción directa o por computadora que le permite al estudiante progresar en uno o más cursos académicos. Los servicios de educación alternativa incluyen programas establecidos por la junta de educación local de conformidad con GS 115C-105.47A y las políticas de la junta de educación local. Los servicios de instrucción son proporcionados por el sistema escolar u otro proveedor.

**Intimidación** : implica un deseo de lastimar, intimidar, un desequilibrio de poder, una repetición, un uso injusto del poder, un disfrute evidente por parte del agresor y una sensación de opresión por parte del objetivo.

**Aulas** : lugares donde tienen lugar las experiencias de aprendizaje designadas y donde los funcionarios escolares tienen la responsabilidad de supervisar.

**Consecuencias** - resultados de las acciones propias. Las consecuencias por las violaciones del Código de Conducta del Estudiante incluyen, entre otras, conferencias con los padres, confiscación de propiedad que interrumpe el ambiente de aprendizaje, detención durante el almuerzo, aislamiento, restitución, suspensión en la escuela, suspensión de actividades y eventos escolares, suspensión de los privilegios del autobús, detención antes y después de la escuela, suspensión fuera de la escuela y expulsión.

**Día o días** : días escolares, excepto días laborables de maestros, días feriados, días de vacaciones y fines de semana. Más comúnmente referido en el tiempo asignado a la suspensión dentro de la escuela o la suspensión fuera de la escuela.

**Dispositivo destructivo** : explosivo, incendiario, gas venenoso, bomba, granada, mina o cualquier dispositivo similar.

**Expulsión** : la exclusión indefinida de un estudiante de la inscripción escolar por razones disciplinarias. La expulsión puede incluir la exclusión de la participación y / o asistencia a actividades relacionadas con la escuela y otras consecuencias provistas por la ley.

**Arma de fuego** : cualquiera de los siguientes:

Un arma, incluida una pistola de arranque, que se convertirá o está diseñada para o puede convertirse fácilmente para expulsar un proyectil por la acción de un explosivo.

El marco o receptor de cualquier arma de este tipo.

Cualquier silenciador o silenciador de arma de fuego.

Este término no incluirá un arma de fuego antigua e inoperable, una pistola BB, una pistola paralizante, una pistola de aire comprimido o una pistola de aire comprimido.

**Suspensión dentro de la escuela o entorno alternativo (en adelante, ISS)** - El programa de suspensión dentro de la escuela es una alternativa a la suspensión de estudiantes fuera de la escuela. El propósito de ISS es mejorar el comportamiento sin sacar al estudiante del entorno escolar. ISS se asigna a discreción del director / persona designada.

**Acción disciplinaria asignada por la escuela** : consecuencias disciplinarias que resultan en comportamientos mejorados sin la eliminación de los estudiantes del entorno escolar, como, por ejemplo, conferencias con los padres, advertencias, detención después de la escuela, aislamiento y referencias a la oficina.

**Suspensión a largo plazo** : la exclusión de más de 10 días de un estudiante de la asistencia escolar por motivos disciplinarios de la escuela a la que el estudiante fue asignado en el momento de la acción disciplinaria. Si la ofensa que conduce a la suspensión a largo plazo ocurre antes del último trimestre del año escolar, la exclusión no será más larga que el resto del año escolar en el que se cometió la infracción. Si la infracción que conduce a la suspensión a largo plazo ocurre durante el último trimestre del año escolar, la exclusión puede incluir un período hasta el resto del año escolar en el que se cometió la infracción y el primer semestre del siguiente año escolar.

**Suspensión fuera de la escuela (en adelante, OSS)** : la remoción del estudiante de la escuela, las actividades escolares y los terrenos de la escuela por un período de tiempo designado

**Padre** : incluye un padre, tutor legal, custodio legal u otro adulto cuidador que actúa en el lugar de un padre y tiene derecho a inscribir al estudiante en la escuela según el Artículo 25.

**Director** : incluye al director de la escuela y al designado del director.

**Sospecha** razonable: creencia razonable de que una persona tiene, está o está a punto de participar en una conducta prohibida por el Código de conducta del estudiante. El criterio de esta norma es menor que el estándar de causa probable.

**Restitución** : para corregir, reemplazar o restaurar la propiedad a su condición original. El reemplazo o pago de cualquier propiedad tomada, dañada o destruida.

**Autodefensa**: el acto de una víctima no agresora que usa una fuerza razonable para evitar ser golpeado para poder liberarse del atacante y notificar a las autoridades escolares. No es defensa propia participar en la lucha. Los estudiantes que excedan la fuerza razonable para protegerse serán disciplinados aunque otra persona haya provocado la pelea. Los administradores tendrán la discreción de reconocer la necesidad de autodefensa incidente por incidente.

**Estudiante** : cualquier persona inscrita o que asiste a cualquiera de las escuelas dentro del Distrito Escolar Graduado de Mooresville.

**Maestro** : el profesional con licencia responsable de la educación, la salud y el bienestar de los estudiantes bajo su dirección.

**Asistente de maestro** : el paraprofesional que apoya y asiste a los maestros del aula en el desempeño de sus tareas de instrucción.

**Oficial de recursos escolares: oficial de la ley** asignado a un campus del Distrito Escolar Graduado de Mooresville para ayudar a garantizar la seguridad de los estudiantes y el personal.

## **Código de conducta**



1. Todos los estudiantes deben cumplir con el Código de conducta estudiantil del Distrito Escolar Graduado de Mooresville, las leyes estatales y federales, las políticas de la junta escolar y las normas escolares locales que rigen el comportamiento y la conducta de los estudiantes. Este código se aplica a cualquier estudiante que se encuentre en la propiedad escolar, mientras esté en tránsito hacia o desde la escuela, que esté en la escuela o en cualquier actividad o evento patrocinado por la escuela, o cuya conducta en cualquier momento o lugar, dentro o fuera del campus, tiene un efecto directo e inmediato en el mantenimiento del orden y la disciplina o en la protección de la seguridad y el bienestar de los estudiantes o el personal de las escuelas.
2. Este código formula y establece las reglas y expectativas de todos los estudiantes inscritos en el Distrito Escolar Graduado de Mooresville. El Distrito Escolar Graduado de Mooresville se compromete a proporcionar sanciones justas y coherentes por las violaciones del Código de Conducta Estudiantil. El director o la persona designada por el director utilizará la discreción profesional para determinar las consecuencias apropiadas por violaciones a las reglas. El director al determinar las consecuencias puede considerar factores atenuantes como la falta de culpabilidad, la falta de peligrosidad del estudiante y la falta de daños causados. Del mismo modo, los factores agravantes como la culpabilidad del estudiante, la peligrosidad del estudiante y la cantidad de daño causado por la violación del estudiante también pueden ser considerados por el director al determinar las consecuencias.
3. Este código establece reglas que prohíben ciertos tipos de conducta indebida de los estudiantes que constituyen delitos mayores. Un estudiante que se encuentre en violación de cualquiera de las reglas de este código puede recibir las consecuencias de una suspensión a corto plazo (10 días o menos), una suspensión a largo plazo (más de diez días), una suspensión de 365 días o una expulsión.
4. La sección de consecuencias de la Regla 21: estupefacientes, bebidas alcohólicas, sustancias controladas, productos químicos y parafernalia de drogas describe circunstancias especiales en las que se puede usar una alternativa a la consecuencia establecida.
5. Este código no pretende restringir de ninguna manera la autoridad de los directores y maestros para establecer o crear reglas siempre que sean compatibles con este código y estén autorizados por la ley. Depende de la discreción de las escuelas respectivas hacer tales reglas y consecuencias "en la escuela".
6. Se deberá contactar a las autoridades policiales por violaciones del Código de Conducta Estudiantil en casos apropiados y de acuerdo con la ley. Se requiere notificación de la aplicación de la ley en casos de agresión con lesiones personales graves, agresión sexual, ofensa sexual, violación, secuestro, libertades indecentes con un menor, agresión con el uso de un arma, posesión de un arma de fuego en violación de la ley, posesión de un arma en violación de la ley, o posesión de una sustancia controlada en violación de la ley. Consulte las páginas 17 a 24 para obtener más detalles e información sobre infracciones notificables.
7. El director o su designado hará todo lo posible por informar a los padres en el momento en que se tome la decisión de suspender a un estudiante de la escuela. El director o la persona designada también llamarán a los padres y enviarán una declaración escrita de la acción disciplinaria de manera oportuna que incluirá el cargo contra el estudiante, los hechos de la situación y la acción disciplinaria tomada. Se enviará una copia de esta declaración por escrito al Superintendente y se archivará

en la oficina del Superintendente. Las patentes también serán informadas de su derecho a apelar la acción del director o persona designada según lo dispuesto en los procedimientos del debido proceso para la acción disciplinaria que se encuentra en la sección de Apelaciones al final del Código de Conducta del Estudiante (para suspensiones en exceso de diez [10 días escolares solamente]).

### **Medidas de disciplina**

La Junta de Educación del Distrito Escolar Graduado de Mooresville reconoce que la disciplina más efectiva es de naturaleza preventiva y no punitiva. Sin embargo, hay momentos en que las acciones correctivas se vuelven necesarias. Tales acciones deben ser razonables y dirigidas a la mejora del comportamiento. El castigo corporal no se puede usar en el Distrito Escolar Graduado de Mooresville.

Las siguientes medidas disciplinarias están disponibles para aquellos autorizados para disciplinar a los estudiantes. Esta lista no pretende restringir de ninguna manera la autoridad de los maestros y directores para disciplinar a los estudiantes de una manera consistente con las políticas de la Junta. Nada de lo establecido en este documento impedirá que el personal de la escuela tome las medidas que sean necesarias en caso de un ataque a su persona o en su propia defensa. Nada de lo establecido en este documento impedirá el uso de la fuerza por parte de los agentes del orden público en el ejercicio de sus funciones de cumplimiento de la ley.

Las siguientes medidas disciplinarias son consecuencias por la violación del Código de Conducta del Estudiante y pueden incluir, pero no pueden limitarse a, las consecuencias enumeradas. Los padres deben ser informados de cualquier medida disciplinaria tomada como resultado de la violación del Código de Conducta del Estudiante.

#### **Conferencia con los padres**

Los maestros, consejeros o administradores harán todo lo posible para comunicar cualquier infracción del Código de Conducta del Estudiante con los padres y solicitarán una conferencia cuando sea apropiado. Se alienta a los padres a hacer una cita con cualquier maestro, consejero o administrador para discutir el progreso o los problemas de sus hijos.

#### **Confiscación**

La propiedad de cualquier estudiante que interrumpa el ambiente de aprendizaje será removida de la posesión de ese estudiante. En el caso de propiedad no amenazante, el padre puede reclamar la propiedad cuando asiste a una conferencia con un funcionario de la escuela. Cualquier propiedad que pueda causar una amenaza a cualquier persona o propiedad escolar puede ser entregada a los oficiales de la ley.

#### **Restitución**

El reemplazo o pago de cualquier propiedad tomada, dañada o destruida.

#### **Detención**

Cualquier maestro o director puede detener a un estudiante antes, durante o después del horario escolar regular por violación del Código de Conducta del Estudiante. Los padres serán notificados con anticipación cuando el transporte pueda verse afectado por la detención.

#### **Escuela de sábado A**

cualquier estudiante se le puede asignar la Escuela de Sábado como un medio de disciplina o en un esfuerzo por compensar las ausencias que le asigne el director o su designado.

### **Aislamiento o remoción del salón de clases**

Se puede retirar a cualquier estudiante de las actividades regulares de la clase por cualquier parte del día escolar, siempre y cuando se coloque bajo la supervisión de un adulto. Esto no se considerará una suspensión a corto plazo y no estará bajo las reglas y procedimientos que rigen las suspensiones.

### **Suspensión de actividades co-curriculares / Pérdida de privilegios**

Un estudiante puede ser suspendido de participar en cualquiera o todas las actividades co-curriculares, incluyendo atletismo y ejercicios de graduación, por violación del Código de Conducta del Estudiante. Los directores, maestros y / o sus designados pueden retirar los privilegios escolares específicos de los estudiantes que exhiben conductas inapropiadas.

### **Suspensión dentro de la escuela (ISS) La**

suspensión dentro de la escuela se brinda como un entorno alternativo para ciertas infracciones del Código de Conducta del Estudiante. El estudiante se cuenta como presente y se le exige que complete las tareas desarrolladas por sus maestros en el aula. Se otorga crédito por el trabajo realizado en ISS.

### **Suspensión fuera de la escuela (OSS)**

Un estudiante puede ser suspendido de la escuela por violaciones al Código de Conducta del Estudiante. A un estudiante no se le permitirá participar en ninguna actividad extracurricular durante el período de suspensión fuera de la escuela.

La suspensión a corto plazo es de 10 días o menos. La suspensión a largo plazo es por más de 10 días, La suspensión de 365 días se usa para circunstancias específicas definidas por la ley estatal.

### **Expulsión**

La prohibición / exclusión permanente del sistema escolar requiere la recomendación del director y el superintendente y la acción de la Junta.

### **Referencia a la Corte / Participación de la Aplicación de la Ley**

En casos de violaciones de los Estatutos Generales de Carolina del Norte, como un delito de drogas, un asalto, posesión de armas u otras violaciones de la ley, se puede contactar a la policía y el estudiante puede ser llevado a la corte.

### **Remoción del transporte provisto por la escuela A los**

estudiantes que exhiban un comportamiento inapropiado se les puede prohibir tomar un autobús u otro medio de transporte proporcionado por la escuela por cualquier período de tiempo.

### **Referencia a un equipo de asistencia escolar Los**

estudiantes que exhiben problemas de disciplina crónicos y persistentes pueden ser remitidos a este equipo para el desarrollo de estrategias para abordar el problema.

### **Referencia a un programa alternativo Los**

estudiantes pueden ser referidos a servicios educativos proporcionados por el sistema escolar u otro proveedor en un entorno que no sea la asignación escolar del estudiante.

### **Alternativa al programa de suspensión Los**

estudiantes suspendidos por tres a diez días (suspensión a corto plazo) pueden asistir a un programa apoyado por el distrito cuando esté disponible como alternativa a la suspensión. Los padres deben proporcionar transporte a este programa alternativo durante el término de la suspensión.

### **Restricción La restricción**

física se define como el uso de la fuerza física para restringir la libre circulación de todo o una parte del cuerpo de un estudiante. La restricción física de los estudiantes por parte del personal de la escuela debe considerarse un uso razonable de la fuerza cuando se usa en las siguientes circunstancias:

Según sea razonablemente necesario para obtener la posesión de un arma u otro objeto peligroso en una persona o dentro del control de una persona.

Como sea razonablemente necesario para mantener el orden o prevenir o disolver una pelea.

Como sea razonablemente necesario para la autodefensa.

Según sea razonablemente necesario para garantizar la seguridad de cualquier estudiante, empleado de la escuela, voluntario u otra persona presente, para enseñar una habilidad, para calmar o consolar a un estudiante o para prevenir conductas autolesivas.

Como sea razonablemente necesario para acompañar a un estudiante de un área a otra.

Si se usa según lo previsto en el IEP de un estudiante o en el Plan de la Sección 504 o en el Plan de Intervención de la Conducta.

Según sea razonablemente necesario para evitar la destrucción inminente de la escuela o la propiedad de otra persona.

La restricción física no debe usarse únicamente como una consecuencia disciplinaria, y su uso está prohibido, excepto como se describe en esta sección.

Restricción mecánica (definida como el uso de cualquier dispositivo o material adjunto o adyacente al cuerpo de un estudiante que restringe la libertad de movimiento o el acceso normal a cualquier parte del cuerpo del estudiante y que el estudiante no puede quitar fácilmente) por parte del personal de la escuela solo está permitido en las siguientes circunstancias:

Cuando se usa apropiadamente como un dispositivo de tecnología asistencial incluido en el IEP del estudiante o en el Plan de la Sección 504 o en el Plan de Intervención de la Conducta o según lo prescriba el estudiante por un proveedor de servicios médicos o relacionados.

Cuando use un cinturón de seguridad u otras restricciones de seguridad para asegurar a los estudiantes durante el transporte.

Según sea razonablemente necesario para obtener la posesión de un arma u otros objetos peligrosos en una persona o dentro del control de una persona.

Como sea razonablemente necesario para la autodefensa.

Como sea razonablemente necesario para garantizar la seguridad de cualquier estudiante, empleado de la escuela, voluntario u otra persona presente.

La restricción mecánica no debe usarse únicamente como una consecuencia disciplinaria, y su uso está prohibido, excepto como se describe en esta sección.

### **Reclusión La**

reclusión (definida como el confinamiento de un estudiante solo en un espacio cerrado en el que se impide físicamente que el estudiante salga por medio de dispositivos de bloqueo u otros medios o no es capaz de salir debido a una incapacidad física o intelectual) puede ser utilizada por el personal de la escuela en el circunstancias siguientes:

según sea razonablemente necesario para responder a una persona que tiene el control de un arma u otro objeto peligroso.

Como sea razonablemente necesario para mantener el orden o prevenir o disolver una pelea.

Como sea razonablemente necesario para la autodefensa.

Según sea razonablemente necesario cuando el comportamiento de un estudiante representa una amenaza de daño físico inminente para sí mismo o para otros o una destrucción sustancial inminente de la escuela o la propiedad de otra persona.

Cuando se usa como se especifica en el IEP del estudiante, el Plan de la Sección 504 o el Plan de Intervención de la Conducta.

El adulto debe ser monitoreado mientras está recluso por un adulto que puede verlo y escucharlo en todo momento.

El estudiante es liberado de la reclusión al cesar los comportamientos que condujeron a la reclusión o según lo especificado en el IEP del estudiante, el Plan de la Sección 504 o el Plan de Intervención de la Conducta.

El espacio en el que se lleva a cabo la reclusión debe ser previamente aprobado para dicho uso (seguridad, iluminación, ventilación, etc.) por la Junta de Educación.

#### \*\* Informes y documentación de aislamiento y restricción

El personal de la escuela deberá notificar de inmediato al director o persona designada por el director de:

Cualquier uso de procedimientos aversivos.

Cualquier uso prohibido de restricción mecánica.

Cualquier uso de restricción física que resulte en una lesión física observable para un estudiante.

Cualquier uso prohibido de la reclusión o la reclusión que exceda los 10 minutos o la cantidad de tiempo especificada en el IEP de un estudiante, el Plan de la Sección 504 o el Plan de Intervención de la Conducta.

Cuando el director o la persona designada por el director tenga conocimiento personal o notificación real de tales eventos, notificará de inmediato al padre o tutor del estudiante y le proporcionará el nombre del empleado de la escuela con quien el padre o tutor puede comunicarse con respecto al incidente. Para notificar inmediatamente a los medios antes del final de la jornada laboral durante la cual se produjo el incidente cuando fue razonablemente posible, pero en ningún caso posterior al final de la siguiente jornada laboral. El padre o tutor del estudiante deberá recibir un informe escrito del incidente para cualquier incidente relacionado con los incidentes mencionados anteriormente dentro de un período de tiempo razonable, pero a más tardar 30 días después del incidente. El informe escrito deberá incluir: fecha, hora, ubicación, duración, descripción del incidente, intervenciones, eventos, eventos que condujeron al incidente, naturaleza / extensión de cualquier lesión y nombre del empleado de la escuela con el que se puede contactar en relación con el incidente.

Ninguna junta de educación local o empleado de una junta de educación local debe despedir, amenazar o tomar represalias de otro modo contra otro empleado de la junta con respecto a la compensación, los términos, las condiciones, la ubicación o los privilegios de empleo de ese empleado porque el empleado presenta un informe que alega que uso prohibido de restricción física, restricción mecánica, procedimiento aversivo o reclusión, a menos que el empleado supiera o debiera haber sabido que el informe era falso. Nada en esta sección debe interpretarse para crear una causa privada de acción contra la Junta de Educación, sus agentes o empleados, o para crear una ofensa criminal.

### **Aislamiento El**

aislamiento (definido como una técnica de manejo de la conducta en la cual un estudiante se coloca solo en un espacio cerrado desde el cual no se le impide salir) puede ser una herramienta de disciplina útil; por lo tanto, la Junta de Educación de MGSD deja tal uso a la discreción del director de la escuela, pero sugiere que cuando se usa el aislamiento total de los estudiantes, se debe limitar a las áreas en las que la observación de un adulto está disponible. El aislamiento se permite como una técnica de manejo del comportamiento, siempre que:

- (1) El espacio utilizado para el aislamiento esté adecuadamente iluminado, ventilado y calentado o enfriado.
- (2) La duración del aislamiento es razonable a la luz del propósito del aislamiento.
- (3) El estudiante es monitoreado razonablemente mientras está aislado.
- (4) El espacio de aislamiento está libre de objetos que exponen injustificadamente al estudiante u otros a daños.

### **Servicio comunitario**

El director y el estudiante pueden acordar que el estudiante realice un servicio comunitario específico durante un cierto número de horas en casos especiales. Dicho servicio comunitario puede incluir, entre otros, servicios para la escuela o para una organización caritativa. Si el servicio comunitario no se completa, el director puede invocar otros asuntos disciplinarios apropiados para la violación original.

### **Evaluación de amenazas**

La Junta de Educación del Distrito Escolar Graduado de Mooresville ha adoptado políticas que establecen que los estudiantes, maestros y otro personal de la escuela no deben ser sometidos a comportamientos agresivos o amenazadores por parte de los estudiantes. Cualquier estudiante que amenace, asalte, maltrate o maltrate a otro estudiante estará sujeto a las medidas disciplinarias apropiadas, que pueden incluir la suspensión o expulsión de la escuela, la notificación al personal de las fuerzas del orden público y / o más acciones legales.

Las conductas y / o acciones prohibidas bajo esta política incluyen, pero no se limitan a:

declaraciones o gestos verbales o escritos por parte de los estudiantes que indiquen la intención de hacerse daño a sí mismos, a otros o a la propiedad (incluida la creación de una "lista de resultados").  
Ataque físico por parte de los estudiantes para infligir daño intencionalmente a ellos mismos, a otros o a la propiedad.

El acto de amenazar con fuerza o violencia a otra persona.

Hacer o involucrarse en hacer una amenaza de que una bomba o unquímica, biológica armao nuclear ha sido colocada o está a punto de explotar en un edificio escolar, terrenos escolares, en un autobús escolar, en una parada de autobús o en cualquier escuela - Actividad patrocinada.

Cuando se cree que los estudiantes han hecho una amenaza o han actuado para dañarse a sí mismos, a otros o a la propiedad, la escuela o el Distrito deben tomar las medidas adecuadas para investigar el presunto incidente y tomar las medidas disciplinarias y / o legales apropiadas. Los procedimientos para investigar y responder a posibles amenazas de daño pueden incluir, pero se limitan a:

eliminar al estudiante del aula y / o al sistema de transporte del Distrito en espera de que se produzcan más medidas disciplinarias.

Investigar el incidente alegado por el director o su designado.

Llevar a cabo una evaluación formal de amenazas que puede incluir que el estudiante sea entrevistado por el psicólogo escolar, el consejero escolar, otro personal escolar calificado y / o el personal del Distrito según sea necesario.

En el caso de que se realice una evaluación formal de amenazas, el director notificará a los padres sobre la evaluación de amenazas.

Una copia del protocolo de evaluación de amenazas está disponible en cada escuela.

Notificar a las agencias apropiadas de aplicación de la ley que pueden resultar en una investigación adicional.

### **Suspensión resumida**

Si el director es informado o es testigo de una falta grave y piensa que la remoción inmediata del estudiante es necesaria para restablecer el orden o para proteger la salud y el bienestar de los estudiantes, el personal escolar y / o proteger la propiedad escolar contra daños, él / ella puede suspender al estudiante inmediatamente por no más de tres (3) días escolares. En tales casos, el director no está obligado a realizar una investigación antes de la suspensión. Si el director decide realizar una investigación y los resultados justifican una acción disciplinaria adicional, la suspensión total no deberá exceder de diez (10) días escolares, a menos que se implementen los procedimientos para la suspensión a largo plazo. Una vez que el director haya decidido invocar una suspensión sumaria, deberá notificar a los padres de inmediato para organizar el transporte a casa.

### **Aviso, informes y documentación**

(1) Aviso de procedimientos: cada junta local de educación debe proporcionar copias de esta sección y todas las políticas de la junta local desarrolladas para implementar esta sección al personal de la escuela y a los padres o tutores al comienzo de cada año escolar.

(2) Notificación de incidentes específicos:

a. El personal de la escuela notificará sin demora al director o su designado de:

1. Cualquier uso de procedimientos aversivos.
2. Cualquier uso prohibido de restricción mecánica.
3. Cualquier uso de restricción física que resulte en lesiones físicas observables.
4. Cualquier uso prohibido de reclusión o reclusión que exceda los 10 minutos o la

cantidad de tiempo especificada en el plan de intervención de comportamiento del estudiante.

segundo. Cuando el director o la persona designada por el director tenga conocimiento personal o notificación real de cualquiera de los eventos descritos en esta subdivisión, el director o persona designada por el director notificará sin demora al padre o tutor del estudiante y proporcionará el nombre de un empleado escolar con el que el padre o tutor puede comunicarse Sobre el incidente.

(3) Tal como se utiliza en la subdivisión (2) de esta subsección, "notificar con prontitud" significa al final de la jornada laboral en la que ocurrió el incidente cuando fue razonablemente posible, pero en ningún caso posterior al final de la siguiente jornada laboral.

(4) El padre o tutor del estudiante deberá recibir un informe de incidente por escrito sobre cualquier incidente reportado en esta sección dentro de un período de tiempo razonable, pero en ningún caso más de 30 días después del incidente. El informe escrito del incidente incluirá:

a. La fecha, hora del día, ubicación, duración y descripción del incidente e intervenciones.

segundo. Los eventos o eventos que condujeron al incidente.

do. La naturaleza y el alcance de cualquier lesión al estudiante.

re. El nombre de un empleado de la escuela que el padre o tutor puede contactar con respecto al incidente.

(5) Ninguna junta de educación local o empleado de una junta de educación local deberá despedir, amenazar o tomar represalias contra otro empleado de la junta con respecto a la compensación, los términos, las

condiciones, la ubicación o los privilegios de empleo de ese empleado porque el empleado hace un reporte que alega un uso prohibido de restricción física, restricción mecánica, procedimiento aversivo o reclusión, a menos que el empleado supiera o debiera haber sabido que el reporte era falso.

(k) Nada en esta sección debe interpretarse como una causa de acción privada contra cualquier junta local de educación, sus agentes o empleados, o cualquier institución de formación docente o sus agentes o empleados o para crear una ofensa criminal.

### **Violaciones del Código de Conducta y Consecuencias del Estudiante**

Las siguientes reglas de conducta se aplican a todos los estudiantes. La violación de las reglas resultará en las consecuencias disciplinarias descritas. Al director se le otorga la autoridad para ejercer un buen juicio y puede aplicar una consecuencia mayor o menor que las establecidas especialmente en los casos en que existen circunstancias agravantes o atenuantes. Cada intento de contactar a los padres debe ser realizado por el maestro, consejero, subdirector, director o persona designada al asignar una consecuencia disciplinaria.

### **Código de conducta**

***Los códigos DPI / PowerSchool se encuentran en cursiva y en negrita. Estos son códigos aprobados por el estado que se utilizan para informar los datos del Distrito Escolar Graduado de Mooresville al estado. Los administradores u otro personal escolar autorizado deben seleccionar uno o más al ingresar incidentes en PowerSchool.***



**Regla 1. Infracción menor de las reglas de la clase (Responsabilidad / Respeto / Ciudadanía)**

***UB: Insubordinación, UB: Comportamiento Disruptivo*** - Los maestros seguirán un procedimiento de disciplina en el aula para incluir: advertencia, contacto con los padres, detención, aislamiento y derivación a la oficina. El director entonces determinará la consecuencia disciplinaria.

**Consecuencias**

<b><u>Laelemental</u></b>	<b><u>media</u></b>	<b><u>escuela secundaria</u></b>
asignó medidas disciplinarias que van desde advertencias hasta consecuencias asignadas por el maestro hasta 1 día de OSS.	Desde la advertencia hasta la acción disciplinaria en la escuela hasta 3 días de OSS.	Desde la advertencia hasta la acción disciplinaria en la escuela hasta 3 días de OSS.

**Regla 2. Comportamiento disruptivo, incumplimiento de las directivas de los directores, maestros y otro personal escolar (Responsabilidad / Respeto / Ciudadanía)**

***UB: Repetir ofensor UB: Disruptive Behavior, UB: Insubordination*** — Students are encouraged to participate in efforts to create a safe, orderly, and inviting school environment. Therefore, students are prohibited from disrupting teaching, the orderly conduct of school activities, or any other lawful function of the school or school system. Examples of disruptive behavior include, but are not limited to, intentional verbal or physical acts that result or have the potential to result in blocking access to school functions or facilities or preventing the convening or continuation of school-related activities, possessing or distributing literature or illustrations that significantly disrupt the educational process or that are obscene or unlawful, engaging in behavior that is immoral, indecent, lewd, disreputable or of an overly sexual nature, failing to observe established safety rules, standards and regulations including behavior in hallways or on buses. Students shall also comply with the directives of all school personnel at all times while a student on any school premises, attending school-sponsored activities, on or about any school-owned or operated vehicle, off school property at any school-sponsored or school-approved activity or function or during any period of time when student's behavior has a direct and immediate effect on maintaining order and discipline and protecting the safety and welfare of students and staff.

***A. Reckless Vehicle Use UB: Disruptive Behavior: UB: Other School Defined Offense: A student will not operate any motorized or self-propelled vehicle on school grounds in a manner that is a threat to health and/or safety, or a disruption to the educational process. Driving to school is a privilege, which may be limited or revoked at any time by the school principal.***

***B. Vehicle Parking on Campus UB: Inappropriate Item on School Property: A student will not park a motor vehicle on school premises unless he/she has been issued a parking permit. Parking permits must be visibly displayed and vehicles must be parked only in assigned spaces. Unauthorized vehicles may be towed.***

**Consequences**

<u>Elementary</u>	<u>Middle</u>	<u>High School</u>
Ranging from school assigned disciplinary action up to 3 days OSS.	Ranging from in-school disciplinary action up to 10 days OSS. Repeated or major violations may result in law enforcement being contacted and/or a recommendation for long-term suspension.	Ranging from in-school disciplinary action up to 10 days OSS. Repeated or major violations may result in law enforcement being contacted and/or a recommendation for long-term suspension.

**Rule 3. Dress Code Violations (Respect/Responsibility) UB: Dress Code Violation** — The Mooresville Graded School District Board of Education requires that students adhere to standards of dress that are compatible with a safe and orderly educational environment. All students are expected to be groomed and dressed appropriately for school and required school activities. Student dress deemed by the school principal to be inappropriate or substantially disruptive to the educational environment, offensive, vulgar, obscene, provocative, revealing, profane, or which endangers the health or safety of the students, faculty, and/or staff of the school is prohibited.

The principal has the authority to implement and enforce the school dress code in a manner that is age appropriate, considerate of sincerely held religious beliefs, and takes into account documented medical-related requirements. Reasonable accommodation will be made by the principal for students involved in special duties, activities, or projects approved by the school. This includes, but is not limited to, athletics, vocational classes and projects, physical education classes, special events, and other activities that require non-conforming dress on the school campus during a school-sponsored event.

#### **Dress and Appearance Guidelines**

The specific guidelines listed below are not intended to be all-inclusive, but shall apply as basic guidelines for all students as deemed appropriate by the principal. **Each school may have additional dress code requirements outlined in the school-specific student handbook.**

Clothing and general appearance are not to cause a disturbance or interfere with the instructional program. Clothing and general appearance must not constitute a health or safety hazard.

All clothing must be of appropriate length and fit. To be acceptable, short pants and skirts must extend beyond the fingertips when a student extends arms downward along the sides. Pants must completely cover underwear. Low cut pants, sagging pants, etc. are prohibited.

Shirts must completely cover the midriff area when sitting and standing and expose NO cleavage. Low cut, halter, and see through tops as well as spaghetti strap tops are prohibited. Tank-type tops, if not prohibited by the specific school dress code, must meet the requirements of the school-specific code. Undergarments shall not be visible at any time. Pajamas are prohibited.

Headgear (hats, caps, sweatbands, bandanas, do-rags, hoods, sunglasses, etc.) will not be worn inside the school building.

Shoes shall be worn at all times, and as necessary conform to special class requirements (PE, constructions trades, ROTC, science, etc.).

Clothing that is obscene, crude, vulgar, offensive, or advertises products prohibited by school board policy (tobacco, alcoholic beverages, controlled substances, etc.) are prohibited.

Clothing with tears, rips, or holes in inappropriate places is prohibited.

Adornments that could reasonably be perceived as weapons or used to inflict harm (chains, spikes, etc.) are prohibited.

Athletic uniforms worn during the school day must meet the requirements of this dress code unless specifically stated otherwise by the school principal.

Gang related apparel is prohibited at all times at any school-related or school-sponsored activity. Items deemed inappropriate under this category are at the discretion of the principal.

### Consequences

<u>Elementary</u>	<u>Middle</u>	<u>High School</u>
School assigned disciplinary action	Ranging from in-school disciplinary action up to 3 days OSS.	Ranging from in-school disciplinary action up to 3 days OSS.

**Rule 4. Electronic or Wireless Devices (Responsibility) UB: Cell Phone Use,**

***UB: Inappropriate Items on School Properly*** — Unless under teacher's direction, or allowed by specific school policy, students are not allowed to display, use, or operate cell phones, or other electronic or wireless devices with internet capability inside of classroom or during any period of time when the student's behavior has a direct and immediate effect on maintaining order and discipline and protecting the safety and welfare of students and staff unless approved in advance by the principal. Electronic or wireless devices must not create a disruption and/or disturbance in any area of the school building, ie, ringing, beeping, etc. All electronic devices can be confiscated, and a parent is required to attend a conference in order to gain possession of the item. This rule does not apply to personal vehicles, overnight school-sponsored field trips, after-school club outings and athletic events unless specifically prohibited.

### Consequences

<u>Elementary</u>	<u>Middle</u>	<u>High School</u>
Ranging from school assigned disciplinary action. Confiscation of device and parent must pick it up.	In-school discipline up to and including confiscation of device and parent pick arriba. Up to 5 days OSS.	In-school discipline up to and including confiscation of device and parent pick arriba. Up to 5 days OSS.

In determining consequences, the principal shall consider whether the device was used in violation of the student integrity policy, to bully or harass other students, to take or send illicit photographs or text messages, or used in any other manner that would make more severe disciplinary consequences appropriate (including repeated offenses).

**Rule 5. Gambling (Responsibility) UB: Gambling** — Students shall not engage in any form of games of chance or gambling for money and/or objects of value (excluding school-sponsored activities).

### Consequences

<u>Elementary</u>	<u>Middle</u>	<u>High School</u>
Ranging from school assigned disciplinary action up to 1day OSS.	Ranging from in-school disciplinary action up to 3 days OSS.	Ranging from in-school disciplinary action up to 5 days OSS.

**Rule 6. Use of Tobacco Products (Responsibility/Citizenship) UB: Possession of Tobacco, UB: Use of Tobacco** — Students are prohibited from the use and/or possession of tobacco products or tobacco/smoking paraphernalia. They shall not possess, smoke, dip, chew or otherwise use any tobacco products at any time while a student is on any school premises, off school property at any school-sponsored or school-approved activity or function or during any period of time when students are subject to the authority of school personnel. For purposes of this policy, “tobacco product” is defined to include cigarettes, electronic cigarettes, cigars, pipes, chewing tobacco, snuff, or any other items containing or resembling tobacco or tobacco products. Electronic cigarettes or vaporizers that may or may not contain tobacco are also prohibited. Such devices will be confiscated by school administrators. Parents/Guardians may request to pick-up the device(s) within 10 days of confiscation. If the request is not made within 10 days, the device(s) will be discarded.

#### Consequences

<u>Elementary</u>	<u>Middle</u>	<u>High School</u>
Confiscation. Ranging from school assigned disciplinary action up to 1 day OSS. Intervention is recommended.	Confiscation. Ranging from in-school disciplinary action up to 5 days OSS, with interventions provided. Repeat violations may result in long-term suspension.	Confiscation. Ranging from in-school disciplinary action to 10 days OSS, with intervention provided. Repeat violations may result in long-term suspension.

**Rule 7. Trespassing (Responsibility/Respect/Citizenship) UB: Being in an Unauthorized Area, UB: Disruptive Behavior, UB: Property Damage** — Students shall not trespass on school property. A student will be considered a trespasser and may be disciplined and/or criminally prosecuted if the student is on the campus of a school to which he or she is not assigned during the school day without the knowledge and consent of school officials of that school, the student is loitering at any school after the close of the school day without specific need or supervision, or the student has been suspended from school but is on the property of any school during the suspension period without the express permission of the principal. A student will not break into any district property. This will be unauthorized entry into school property with or without destruction to the property.

#### Consequences

<u>Elementary</u>	<u>Middle</u>	<u>High School</u>
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Ranging from school assigned disciplinary action up to 1 day OSS.	Ranging from in-school disciplinary action up to 3 days OSS. Law enforcement may be contacted.	Ranging from in-school disciplinary action up to 10 days OSS. Law enforcement may be contacted.
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**Rule 8. Inappropriate Interpersonal Behavior (Responsibility/Respect) UB: Mutual Sexual Contact Between Two Students, UB: Excessive Display of Affection,**

**UB: Harassment - Sexual** — Students shall conduct their personal and social relationships according to acceptable school standards. Inappropriate public displays of affection, as determined by the principal, will not be allowed.

**Consequences**

<b><u>Elementary</u></b>	<b><u>Middle</u></b>	<b><u>High School</u></b>
School assigned disciplinary action.	Ranging from in-school disciplinary action up to 5 days OSS.	Ranging from in-school disciplinary action up to 5 days OSS.

**Rule 9. Issues of Integrity (Responsibility/Honesty) UB: Insubordination UB: Honor Code Violation, UB: Falsification of Information** — Students are expected to demonstrate integrity, civility, responsibility, and self-control. Students shall not cheat, plagiarize, violate copyright laws, or falsify notes or documents. Students shall not provide false information to school officials and/or parents or guardians with regard to any report card, attendance matter, grades or progress reports, discipline matters or any other school business. Students shall be truthful in statements made. A student will be honest and submit his/or her own work.

**Consequences**

<b><u>Elementary</u></b>	<b><u>Middle</u></b>	<b><u>High School</u></b>
School assigned disciplinary action	Ranging from in-school disciplinary action up to 5 days OSS. Zero on assignment when applicable.	Ranging from in-school disciplinary action up to 10 days OSS. Zero on assignment when applicable.

**Rule 10. Attendance (Citizenship/Responsibility) UB: Excessive Tardiness, UB: Leaving School without Permission, UB: Leaving Class without Permission UB: Truancy, UB: Skipping Class, UB: Cutting Class, UB: Late to Class** — Every student is expected to be on time and in full-time attendance in his/her assigned classes except in instances of absences considered excusable by the state and local board of education.

**Consequences**

<u>Elementary</u>	<u>Middle</u>	<u>High School</u>
In-school disciplinary action.	In-school disciplinary action.	Ranging from in-school disciplinary action up to 2 days OSS.
Truant from school or specific classes.	Truant from school or specific classes.	Truant from school, specific classes or Saturday School
School assigned disciplinary action	Ranging from in-school disciplinary action up to 2 days OSS.	Ranging from in-school disciplinary action up to 2 days OSS.

**Rule 11. Insults, Abusive Remarks, Harassment, Bullying, Profane or Obscene Language, Seriously Disrespectful Words, Acts of Touching, Gestures, Signs, Verbal Threats or Other Acts (Respect/Caring/Responsibility/Justice and Fairness)**

***UB: Bullying, UB: Harassment – Racial, UB: Harassment – Disability,***

***UB: Inappropriate Language/Disrespect, UB: Cyber Bullying, UB: Harassment – Sexual Orientation, UB: Harassment, Religious Affiliation*** — Students shall respect other students, visitors, school employees

and other persons by utilizing appropriate language and behaviors at all times. Cursing, using vulgar, abusive or demeaning language toward another person, action which is insulting, abusive, harassing, bullying, profane, obscene, threatening or seriously disrespectful or which disrupts the learning process for any student or which demeans or degrades another person is specifically prohibited. In addition, any act of retaliation against an individual for reporting insulting, abusive, harassing, threatening or bullying actions is expressly prohibited. This rule applies to behavior that takes place on any school property at any time, on any school bus or school vehicle, at any bus stop, at any school-related activity, at any time or any place that a student is subject to the authority of school personnel, or at any time or place when the behavior has a direct and immediate effect on maintaining order and discipline in the schools. **This includes relaying threats or rumors about others.** (Also, determine if Rule 27 applies)

**Consequences**

<u>Elementary</u>	<u>Middle</u>	<u>High School</u>
Ranging from school assigned disciplinary action up to 5 days OSS. Law enforcement may be contacted.	Ranging from in-school disciplinary action up to 10 days OSS. Repeated violations may result in a recommendation for long-term suspension. Law enforcement may be contacted.	Ranging from in-school disciplinary action up to 10 days OSS. Repeated violations may result in a recommendation for long-term suspension. Law enforcement may be contacted.

**Rule 12. Hazing and Intimidation (Respect/Caring/Justice and Fairness)**

***UB: Inappropriate Language/Disrespect, UB: Honor Code Violation*** — It shall be a violation of board policy for any student to engage in hazing or to aid or abet any other student in hazing. For the purpose

of this policy, hazing is defined as follows: “to annoy any student or school employee by playing abusive or ridiculous tricks on him/her, to frighten, scold, beat or harass him/her or to subject him/her to personal indignity. Furthermore, deliberate intimidation or harassment in any form is prohibited. (GS 14-36 and 115C-391). **(Also, determine if Rule 27 applies)**

**Consequences**

<u><b>Elementary</b></u>	<u><b>Middle</b></u>	<u><b>High School</b></u>
Ranging from school assigned disciplinary action up to 3 days OSS. Law enforcement may be contacted.	Ranging from in-school disciplinary action up to 10 days OSS and possible recommendation for long-term suspension. Law enforcement may be contacted.	Ranging from in-school disciplinary action up to 10 days OSS and possible recommendation for long-term suspension. Law enforcement may be contacted.

**Rule 13. Sexual Harassment** (Respect/Caring) *UB: Harassment – Sexual* — Sexual harassment of students or employees of the Mooresville Graded School District and any visitors or other individuals while on school premises or attending or participating in school activities is prohibited. Students are also prohibited from retaliating against any employee or student who has filed a sexual harassment complaint or participated in an investigation, proceeding, or hearing regarding said complaint. Sexual harassment is defined a unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that tends to create a hostile or offensive educational or work environment.

**Consequences**

<u><b>Elementary</b></u>	<u><b>Middle</b></u>	<u><b>High School</b></u>
Ranging from school assigned disciplinary action up to 5 days OSS.	Ranging from in-school disciplinary action up to 10 days OSS and possible recommendation for long-term suspension. Law enforcement may be contacted.	Ranging from in-school disciplinary action up to 10 days OSS and possible recommendation for long-term suspension. Law enforcement may be contacted.

**Rule 14. Extortion** (Responsibility/Respect/Citizenship) *UB: Extortion* — Students shall not extort through verbal, written or physical threats, coercion or intimidation anything of value from any other student or school employee.

**Consequences**

<u><b>Elementary</b></u>	<u><b>Middle</b></u>	<u><b>High School</b></u>

Ranging from school assigned disciplinary action up to 10 days OSS. Law enforcement may be contacted.	Ranging from in-school disciplinary action up to 10 days OSS and possible recommendation for long-term suspension. Law enforcement may be contacted. Restitution may be required.	Ranging from in-school disciplinary action up to 10 days OSS and possible recommendation for long-term suspension. Law enforcement may be contacted. Restitution may be required.
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**Rule 15. Physical Assault with Physical Injury Upon a Student (Responsibility/Caring/Justice and Fairness)**

***UB: Assault – Student, PD: Physical Attack with a Firearm, PD: Assault Resulting in Serious Injury, PD: Assault Involving the Use of a Weapon*** — Students shall not cause, attempt to cause or verbally (written, digital or orally) threaten to cause injury of any kind to a student while a student is at school, in any school building or on any school premises, off school property at any school-sponsored or school- approved activity or function, during any period of time when students are subject to the authority of school personnel, or at any time when the student's behavior has a direct and immediate effect on maintaining order and discipline and protecting the safety and welfare of students or staff.

**Consequences**

<b><u>Elementary</u></b>	<b><u>Middle</u></b>	<b><u>High School</u></b>
Ranging from school assigned disciplinary action up to 10 days OSS . Law enforcement may be contacted.	OSS up to 10 days and possible recommendation for long-term suspension. Law enforcement will be contacted if required by law and may be contacted in other circumstances.	OSS up to 10 days and possible recommendation for long-term suspension. Law enforcement will be contacted if required by law and may be contacted in other circumstances.

**Rule 16. Fighting Among Students (Responsibility/Caring/Justice and Caring)**

***UB: Fighting*** — Students shall not fight or attempt to cause bodily harm to another student. If a student is attempting to involve another student in a fight, the other student should walk away and report it to a teacher, assistant principal or principal. Students who instigate fights will be subject to the same consequences as those who are actually involved in fighting.

Self-Defense is defined as the act by a non-aggressor victim using reasonable force to avoid being hit in order to enable oneself to get free from the attacker and notify school authorities. It is not self-defense to participate in the fight. Students who exceed reasonable force in protecting themselves will be disciplined for violating this rule even though another person provoked the fight. Administrators will have the discretion to recognize the need for self-defense on an incident-by-incident basis.

**Consequences**

<b><u>Elementary</u></b>	<b><u>Middle</u></b>	<b><u>High School</u></b>
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Ranging from school assigned disciplinary action up to 10 days OSS. Law enforcement may be contacted.	Ranging from 3 days OSS to 10 days OSS and possible recommendation for long-term suspension. Law enforcement may be contacted.	Ranging from 3 days OSS to 10 days OSS and possible recommendation for long-term suspension. Law enforcement may be contacted.
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\* Anger management classes may be offered for students who engage in fights and attendance may be mandatory when deemed appropriate by school administration. Students opting to attend anger management classes when available may do so in lieu of one day OSS.

**Rule 17. Using Violence or Threat of Violence to commit Robbery, Burglary, Taking or Destroying Property (Responsibility/Respect/Citizenship)** *RO: Robbery without a dangerous weapon, \*RO: Robbery with a dangerous weapon, \*PD: Robbery with a firearm or powerful explosive. UB: Communicating Threats, UB: Threat of a Physical Attack with a Weapon, UB: Threat of Physical Attack with a Firearm* — Students shall not steal or attempt to steal, damage or destroy property of others using threats of bodily harm.

#### Consequences

<u>Elementary</u>	<u>Middle</u>	<u>High School</u>
Ranging from school assigned disciplinary action up to 10 days OSS and possible recommendation for long-term suspension. Law enforcement will be contacted. Restitution may be required.	OSS up to 10 days and possible recommendation for long-term suspension. Law enforcement will be contacted. Restitution may be required.	OSS up to 10 days and possible recommendation for long-term suspension. Law enforcement will be contacted. Restitution may be required.

**Rule 18. Theft or Destruction of School or Personal Property (Responsibility/Respect/Citizenship)** *UB: Property Damage, Use of Fire, \*RO: Burning of a School Building, UB: Unlawfully setting a fire UB: Theft, UB: Inappropriate Items on School Property (stolen goods)* — Students shall not steal, attempt to steal, possess stolen property, or intentionally damage or attempt to damage any school or private property while under school jurisdiction. Students shall not vandalize, damage or attempt to damage property belonging to others. A student will neither set fire nor attempt to set fire to anything on school property or participate with others to damage or destroy school property through the use of fire. This includes striking matches, flicking cigarette lighters or using any instrument capable of producing fire on school property or at a school-sponsored or school-related activity that is on or off school property. (This violation does not include any smoking violations. For smoking violations, refer to Rule 6.

#### Consequences

<u>Elementary</u>	<u>Middle</u>	<u>High School</u>
Ranging from school assigned disciplinary action up to 10 days OSS. Law enforcement may be contacted. Restitution may be required.	Ranging from in-school disciplinary action up to 10 days OSS and possible recommendation for long-term suspension. Law enforcement	Ranging from in-school disciplinary action up to 10 days OSS and possible recommendation for long-term suspension. Law enforcement

	may be contacted. Restitution may be required.	may be contacted. Restitution may be required.
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**Rule 19. Possession of a Dangerous Weapon or Other Instrument (Responsibility/Caring)\*RO:**

***Possession of a Weapon – Not Including Firearms*** — Students shall not possess, conceal or transport any weapon or other instrument that is intended to or could cause bodily injury or other harm to another or misuse otherwise acceptable objects in a manner intended to cause harm to others at any time while a student is at school, in any school building or on any school premises, attending school-sponsored or school-related activities, on or about any school-owned or operated vehicle, off school property at any school-sponsored or school-related activity, or during any period of time when students are subject to the authority of school personnel, and at any time when the student's behavior has a direct and immediate effect on maintaining order and discipline and protecting the safety and welfare of students and staff. For purposes of this rule, items included are dangerous instruments other than firearms as described in NCGS 14-269.2(b) but includes facsimile of weapons including toy guns, etc. Also included under this rule are knives, razors, brass/metallic knuckles, slingshot, blackjack, stun gun or other electric shock weapon, BB gun, inoperable antique firearm, air rifle, air pistol, icepick, destructive or incendiary device, fireworks, mace, pepper spray, etc. This list is not an all-inclusive list of materials prohibited under this rule.

**Consequences**

<b><u>Elementary</u></b>	<b><u>Middle</u></b>	<b><u>High School</u></b>
Confiscate weapon. Ranging from school assigned disciplinary action up to a recommendation for long-term suspension. Law enforcement may be contacted.	Confiscate weapon. Up to 10 days OSS and possible recommendation for long-term suspension for maximum allowed. Law enforcement will be contacted.	Confiscate weapon. 10 days OSS and possible recommendation for long-term suspension for maximum allowed. Law enforcement will be contacted.

**Rule 20. Possession of a Firearm (loaded or unloaded) (Responsibility/Citizenship) \*RO: Possession of a Firearm, \*PD: Robbery with a Firearm or Powerful Explosive,**

***UB: Threat of Physical Attack with a Firearm, \*PD: Physical Attack with a Firearm*** — Students shall not possess, conceal or transport any weapon or instrument that is intended to or could cause bodily injury or other harm to another or any firearm as defined in NCGS 115C-390.1(5) and to include any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive or incidental items relating to firearms use such as bullets, magazine clips or other projectile items at any time while a student is at school, in any school building or on any school premises, off school property at any school-sponsored or school-approved activity, or during any period of time when students are subject to the authority of school personnel, and at any time when the student's behavior has a direct and immediate effect on maintaining order and discipline and protecting the safety and welfare of students and staff.

## Consequences

<u>Elementary</u>	<u>Middle</u>	<u>High School</u>
Confiscate weapon. Ranging from school assigned disciplinary action up to a recommendation for long-term suspension up to 365 days. Law enforcement will be contacted.	Confiscate weapon. 10 days OSS and recommendation for long-term suspension for 365 days. Law enforcement will be contacted.	Confiscate weapon. 10 days OSS and recommendation for long-term suspension for 365 days. Law enforcement will be contacted.

### **Rule 21. Narcotics, Alcoholic Beverages, Controlled Substances, Chemicals, and Drug Paraphernalia (Responsibility/Citizenship)**

**Alcohol** \*RO: *Alcohol Possession*, \*RO: *Use of Alcoholic Beverages*

**Marijuana** UB: *Under the Influence of Controlled Substances*, \*RO: *Possession of Controlled Substances*

#### **Drugs/Illegal Substances and Counterfeit Drugs:**

**Use, Influence or Possession of Drugs**, RO: *Use of Controlled Substance*, RO: *Use of Narcotics*, UB: *Use of Counterfeit items*, UB: *Possession of Counterfeit Items*,

\*RO: *Possession of Controlled Substance-Others*, \*RO: *Possession of Controlled Substance -Ritalin*, \*RO: *Possession of Controlled Substance-Cocaine*, \*RO: *Possession of Another Person's Prescription Drug*.

**Sale/Distribution (Attempt or Actual)** RO: *Sale of controlled substance in violation of law-marijuana*, RO: *Sale of controlled substance in violation of law – Ritalin*, RO: *Sale of controlled substance in violation of the law – Cocaine*.

**Paraphernalia** UB: *Possession of Chemical or Dry Paraphernalia* – No student shall not possess, use, distribute, transmit, sell, possess with intent to distribute or sell, or conspire or attempt to distribute or sell, or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, anabolic steroid, other controlled substance, synthetic stimulants such as MDPV and methadone, synthetic cannabinoids such as “Spice” or “K2”, any alcoholic beverage, malt beverage, fortified wine, other intoxicating liquor, counterfeit substance, any unauthorized prescription drug, or any other chemicals or products with the intention of bringing about a state of exhilaration, euphoria, or of otherwise altering the student's mood or behavior nor be in possession of drug paraphernalia.

For the purpose of the Student Code of Conduct the following definitions apply:

1. **Possess**: Having the power or intent to control a prohibited substance and shall include, but is not necessarily limited to the possession of a prohibited substance in a student's automobile, locker, book-bag, or desk, or on a student's person.
2. **Use**: The consumption, injection, inhalation or absorption of a prohibited substance into a student's body by any means.

3. Under the influence: The use of any prohibited substance at any time or place when the prohibited substance would influence a student's mood, behavior, or learning to any degree.
4. Sell: The exchange of a prohibited substance for money, property, or any other benefit or item of value.
5. Distribute: To give, share, or pass a prohibited substance.
6. Possess with intent to distribute/sell: Intent to distribute or sell may be determined from the amount of the prohibited substance found, the manner in which it is packaged, the presence of packaging materials such as scales, baggies or other containers, or from statements or actions of the student that demonstrate an intent to distribute or sell.
7. Counterfeit Substance: Any substance that is described or presented with the intention of deceiving another into believing that it is a substance prohibited under this policy.
8. Unauthorized Prescription Drug: Any drug or medication that has not been prescribed for the student.

Use of a drug authorized by a valid medical prescription from a registered physician shall not be considered a violation of this rule when the drug is taken by the person for whom the drug was prescribed and in the manner for which it was prescribed.

Any of the aforementioned substances, which may lawfully be possessed by students, may be brought to school and used for an approved school project under the proper supervision of school personnel and with prior approval of the principal.

Any student using drugs prescribed by a physician or over-the-counter medication, including aspirin and cold medicines, is required to have a school Medication Form completed by a physician and on file in the school office. These forms may be picked up from the school nurse or school secretary. All medication must be checked in with school personnel or a school nurse and must remain in the office. Students are not allowed to keep any medication in their possession (ie book bags, lockers, purses, etc.). Students must come to the office or other designated area at the required time(s) to take the required dosage. Under specific conditions, physicians may request that a student keep certain types of medication (ie inhaler) in his/her possession for immediate use. However, the written medication request specifically documenting this need must be on file in the main office. Students are not permitted to sell or distribute non-prescription medication. Distribution and/or consumption of such unauthorized medication may be a violation of Rule 21. Any sharing of medication between students will be handled with severe repercussions as described in the *Student Code of Conduct*.

#### **Consequences**

<b><u>Elementary</u></b>	<b><u>Middle</u></b>	<b><u>High School</u></b>
Ranging from 10 days OSS to long-term suspension. Law enforcement will be contacted.	10 days OSS and possible recommendation for long-term suspension.* Law enforcement will be contacted.	10 days OSS and possible recommendation for long-term suspension.* Law enforcement will be contacted.

\*Except as noted below, the first violation of this policy by a student in grades 7-12 shall result in the long-term suspension of the student from the school system for the remainder of the school year.

1. When a first infraction does not involve the distribution, sale, possession with intent to distribute or sell, or conspiracy or attempt to distribute or sell a substance prohibited by this policy, an alternative to long-term suspension may be offered. This alternative shall be offered only one time to students during the student's school career unless an exception is made by the superintendent. The alternative shall consist of a 10-day suspension that may be reduced to five if the student participates in a corrective education and/or counseling program. The program shall be designed by the superintendent and agreed to in writing by the parent, guardian, student, and school principal. Parents, guardians, and students shall be provided information by school authorities concerning approved alternative programs. Failure to meet any requirements of the alternative program activates the remaining five suspension days. Parents will be required to submit documentation from the agency providing the program verifying participation.

2. Any student who is fourteen (14) years of age or older and who distributes, sells, possesses with intent to sell, or conspires to distribute or sell any schedule I or schedule II controlled substance as defined by the North Carolina Controlled Substances Act may be expelled.

3. The proper use of a drug authorized by valid medical prescription from a legally authorized health care provider shall not be considered a violation of this rule when the drug is taken by the person for whom the drug is prescribed. However, other disciplinary action may be taken if the student fails to abide by the district's medication policy.

4. The first violation of this policy by a student in grades K-12 who is in possession of a prohibited substance and a weapon or dangerous instrument shall result in at least a 10-day suspension with possible long-term suspension and may result in suspension for 365 days or expulsion where permitted by law.

5. Law enforcement will be notified.

Note: Schedule I substances include, among other types, opiates; hallucinogens such as LSD.

Legal Reference: GS 115C-391; GS 90-89-90

**Rule 22. Gang and Gang Related Activities** (*Responsibility/Caring/Justice and Fairness*) **UB: Gang Activity** — The Mooresville Graded School District does not support or condone gang membership or gang activity. The Superintendent/designee shall regularly consult with law enforcement officials to identify gang-related items, symbols and behaviors, and provide each principal with this information.

No student shall commit any act that promotes gangs or gang-related activities. A gang is any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of criminal acts, or the purposeful violation of any MGSD policy, and having a common name or common identifying sign, colors or symbols. Conduct prohibited by this policy includes but is not limited to:

1. Wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, emblems, badges, symbols, signs, visible tattoos and body markings, or other items, or being in

possession of literature that shows affiliation with a gang, or is evidence of membership or affiliation in any gang or that promotes gang affiliation;

2. Communicating either verbally or non-verbally (gestures, handshakes, slogans, drawings, etc.), with the intent to convey membership affiliation in any gang or that promotes gang affiliation;

3. Tagging or otherwise defacing school or personal property with symbols or slogans intended to convey membership or affiliation in a gang;

4. Requiring payment of protection, insurance, or otherwise intimidating or threatening any person related to gang activity;

5. Inciting others to intimidate or to act with physical violence upon any other person related to gang activity;

6. Soliciting others for gang membership;

7. Committing any other illegal act or other violation of school system policies in connection with gang-related activity.

Before being suspended for a first offense of wearing gang-related attire or communicating either verbally or non-verbally with the intent to convey membership affiliation in any gang or that promotes gang affiliation (when not involved in any other kind of gang-related activity or behavior), a student shall receive an individualized warning as to what item or conduct is in violation of Rule 22 and shall be allowed to immediately change or remove any prohibited items. A student may be punished only if he or she previously received notice that the specific item or conduct is prohibited.

### Consequences

<b><u>Elementary</u></b>	<b><u>Middle</u></b>	<b><u>High School</u></b>
Ranging from in-school disciplinary action up to 10 days OSS and possible recommendation for long-term suspension. Law enforcement may be contacted.	Up to 10 days OSS and possible recommendation for long-term suspension for maximum allowed by law. Law enforcement will be contacted.	Up to 10 days OSS and possible recommendation for long-term suspension for maximum allowed by law. Law enforcement will be contacted.

In a situation where a student has violated this policy or is otherwise suspected of gang affiliation through other circumstantial evidence, the principal shall conduct an intervention involving the principal and/or assistant principal, the student, and the student's parent. Such intervention may also include the school resource officer and others as appropriate. The

purpose of the intervention is to discuss school officials' observations and concerns and to offer the student and his or her parent information and an opportunity to ask questions or provide other information to school officials.

**Rule 23. Unjustified Activation of a Fire or Other Alarm System**

**(Responsibility/Respect/Citizenship/Honesty) UB: False Fire Alarm** — Students shall not activate any fire or other alarm system unless authorized to do so by school employees or unless there are reasonable grounds to believe that an actual emergency situation exists.

**Consequences**

<b><u>Elementary</u></b>	<b><u>Middle</u></b>	<b><u>High School</u></b>
Ranging from school assigned disciplinary action up to 10 days OSS. Law enforcement may be contacted.	Up to 10 days OSS and recommendation for long-term suspension. Law enforcement will be contacted.	Up to 10 days OSS and possible recommendation for long-term suspension. Law enforcement will be contacted.

**Rule 24. Disruption of School, Communicating a False Bomb Report or Perpetrating a Bomb Hoax, Terrorist Threat, Inciting or Participating in Student Disorder**

**(Responsibility)\*RO: Bomb Threat** — Students shall not lead or participate in any activity that has as its purpose the disruption of school business or that significantly affects the educational process. In the event that the disruption does not abate immediately or if the principal deems it appropriate, law enforcement will be contacted.

**Consequences**

<b><u>Elementary</u></b>	<b><u>Middle</u></b>	<b><u>High School</u></b>
Ranging from school assigned disciplinary action up to 10 days OSS and possible recommendation for long-term suspension. Law enforcement may be contacted.	Ranging from school assigned disciplinary action up to 10 days OSS and possible recommendation for long-term suspension. Law enforcement may be contacted.	Ranging from school assigned disciplinary action up to 10 days OSS and possible recommendation for long-term suspension. Law enforcement may be contacted.

**Rule 25. Violations of North Carolina Criminal Statutes** — Students shall not violate any criminal statute or local ordinance or commit any act which could result in criminal prosecution or juvenile proceedings not previously covered elsewhere in these rules at any time while a student is at school, in any school building or on any school premises, attending school-sponsored or school-related activities,

on or about any school-owned or school-operated vehicle, off school property at any school-sponsored or school-related activity, or during any period of time when students are subject to the authority of school personnel and at any time when the student's behavior has a direct and immediate effect on maintaining order and discipline and protecting the safety and welfare of students and staff.

### Consequences

<u>Elementary</u>	<u>Middle</u>	<u>High School</u>
Ranging from school assigned disciplinary action to 10 days OSS and possible recommendation for long-term suspension for maximum allowed by law. Law enforcement may be contacted.	Up to 10 days OSS and possible recommendation for long-term suspension for maximum allowed by law. Law enforcement will be contacted.	Up to 10 days OSS and possible recommendation for long-term suspension for maximum allowed by law. Law enforcement will be contacted.

**Rule 26. Assault or Threats Against Adults (Respect/Caring)\*RO: Assault on School Personnel with No Serious Injury, \*PD: Assault Resulting in Serious Injury, UB: Assault - Other**

A) - Students shall not cause or attempt to cause physical or bodily harm to any adult at any time while a student is at school in any school building and on any school premises, attending school-sponsored activities, on or about any school-owned or operated vehicle, off school property at any school-sponsored or school-approved activity or function, or during any period of time when students are subject to authority of school personnel, and at any time when the student's behavior has a direct and immediate effect on maintaining order and discipline and protecting safety and welfare of students and staff.

### Consequences

<u>Elementary</u>	<u>Middle</u>	<u>High School</u>
Ranging from school assigned disciplinary action up to 10 days OSS. Law enforcement may be contacted.	10 days OSS and possible recommendation for long-term suspension. Law enforcement will be contacted.	10 days OSS and possible recommendation for long-term suspension. Law enforcement will be contacted.

A student who is at least 13 years old and physically assaults and seriously injures a teacher or other school personnel or adult will be suspended for at least the remainder of the school year up to 365 days.

**B) - Written/Cyber Threats/Stalking or Verbal/Written/Cyber Assaults to School Employees and Other Adults UB: Misuse of School Technology,**

**UB: Honor Code Violation, UB: Community Threats, UB: Cyber-Bullying** —Students shall not, through written, digital or oral communication, threaten to cause, cause or attempt to cause



harm to principals, assistant principals, teachers, substitute teachers, student teachers, teacher assistants, coaches, advisors, counselors, media specialists, school nurse, bus drivers or monitors, school resource officers or other adults at any time while a student is at school in any school building or on any school premises, attending school-sponsored activities, on or about any school-owned or operated vehicle, off school property at any school-sponsored or school-approved activity or function or during any period of time when students are subject to the authority of school personnel and at any time when the student's behavior has a direct and immediate effect on maintaining order and discipline and protecting the safety and welfare of students and staff.

### Consequences

<u>Elementary</u>	<u>Middle</u>	<u>High School</u>
Ranging from school assigned disciplinary action up to 10 days OSS . Law enforcement may be contacted.	Up to 10 days OSS and possible recommendation for long-term suspension. Law enforcement will be contacted.	Up to 10 days OSS and possible recommendation for long-term suspension. Law enforcement will be contacted.

**Rule 27. Technology and the Internet (Honesty) UB: Misuse of School Technology, UB: Honor Code Violation, UB: Communicating Threats, UB: Cyber-Bullying** – Students should use technology and the Internet in an appropriate manner. Technology is an integral part of a student's educational experience and must be used in support of education and research consistent with the educational objectives of MGSD. Technology includes, but is not limited to, computers, other hardware, electronic devices, software, internet, e-mail, all other networks, etc. Student use of technology is a privilege. Students are responsible for appropriate use of all computers to which they have access. Obscene, pornographic, threatening, or other inappropriate use of technology, including, but not limited to, e-mail, instant messaging, cyber bullying, web pages, and use of hardware and/or software which disrupts or interferes with the safety and welfare of the school community, is prohibited, even if such uses take place off school property (ie, home, business, private property, etc.). Altering the pre-set MGSD software image is prohibited. Mooresville Graded Schools adheres to the provisions of the Children's Internet Protection Act (CIPA).

#### **A. General Terms and Conditions of Use**

1. Transmission of any material in violation of Federal, State, or local law, ordinance, School Board policy, regulation or the Code of Student Conduct is prohibited. This includes, but is not limited to, the following: copyrighted material, cyber bullying, threatening, violent, obscene, or pornographic material, material protected by trade secret, and uploaded or created computer viruses.
2. Use of technology for commercial activities is prohibited unless explicitly permitted by the School Board. Commercial activity includes, but is not limited to, the following:
  - a. any activity that requires an exchange of money and/or credit card numbers;
  - segundo. any activity that requires entry into an area of service for which the school will be charged a fee;
  - c. any purchase or sale of any kind; and
  - d. any use for product advertisement or political lobbying.

3. Altering/modifying the original MGSD pre-set software image and/or taking apart the computer for access to internal parts is prohibited.

### **B. Responsible/Acceptable/Safe Use of Technology**

The following rules are in effect for all MGSD computers unless otherwise directed by a teacher or administrator:

1. It is the responsibility of each student to ensure that student-loaded files and programs do not consume hard drive space needed for instructional or educational requirements.
2. Teachers may authorize students to use the Internet and other communication mediums that include but are not limited to e-mail and discussion boards, for instructional purposes.
3. Pornographic, obscene, or vulgar images, sounds, music, video, language, or materials, including screensavers, backdrops, and/or pictures, are prohibited.
4. Downloading, uploading, or importing games, screen animations, as well as programs or files that can be run or launched as a stand-alone program is prohibited at all times.
5. Downloading, uploading, importing music and videos are allowed outside of school hours, so long as it does not violate copyright law or contain words or images that are pornographic, obscene, graphically violent or vulgar.
6. Illegal use or transfer of copyrighted materials to a school owned computer, including laptops, is prohibited. Students should only download/import music or materials (files) that they are authorized or legally permitted to reproduce, or for which they have the copyright.
7. Students are prohibited from playing games during the instructional day unless otherwise directed by a teacher or administrator.
8. File sharing must be approved and directed by the teacher.
9. Headphones may be used during the instructional day with teacher permission as long as the use does not interfere with the instructional program.
10. Laptops are to be used in study halls for instructional purposes only.
11. Students shall not deface or vandalize MGSD computers in any way. This includes, but is not limited to, marking on, painting on, drawing on, marring, placing stickers on, or damaging a computer.
12. Additions, modifications or deletion of files, except in the student's 'directory' or 'home directory,' are prohibited.
13. Students are prohibited from sharing passwords with one another for any reason and should make every effort to keep all passwords secure and private.
14. Students should not introduce or allow the introduction of any computer virus to any MGSD computer.
15. Putting non-school related material (files) on a school file server is prohibited.

**C. Personal Responsibility and Integrity** All who use MGSD technology resources must recognize that the work of all users is valuable; therefore, every user must respect the privacy of others. Users shall not seek information on, obtain copies of, or modify files, other data, or passwords belonging to other users, or misrepresent or assume the identity of other users.

To protect students while at school and home, and to meet the Children's Internet Protection Act (CIPA) requirements, access to the Internet is filtered through a commercial filtering system. All students are expected to behave responsibly and with integrity when using technology. These responsibilities include, but are not limited to, the following:

1. Use technology for school-related purposes only during the instructional day;
2. Revealing unauthorized personal information about yourself or others is prohibited;
3. Do not copy, change, read, or use files in another user's storage area (such as hard disk space, diskettes, mail, server space, personal folders, flash drives, etc.) without the user's permission;
4. Refrain at all times from cyber bullying.

#### **D. Security**

Security on any computer system is a high priority. Attempting to log on to the MGSD network using another person's identity is prohibited. Bypassing or attempting to bypass MGSD filtering software is prohibited. All security problems must be reported to an administrator.

#### **E. Privacy/Copyright**

The illegal use, distribution or transfer of copyrighted material on MGSD computers is prohibited. All files, emails, data, etc. that is created, stored, or accessed with a MGSD computer are public record.

#### **F. Alteration of Pre-set Software Image**

Altering/modifying the original MGSD pre-set software image is prohibited. Examples may include, but are not limited to the following:

1. Loading/installing any software applications unless done by MGSD
2. Changing the computer name
3. Changing or removing operating system extensions
4. Altering security software
5. Altering the pre-loaded operating system or applications
6. Taking apart the computer for access to internal parts.

Violations of these regulations will result in serious disciplinary action and may also result in criminal charges if the violation of the regulation is also a violation of Federal, State, or local law or ordinance. Examples of such dual violations are (i) computer hacking or trespassing, (ii) harassment, threats, or cyber bullying via computer, and (iii) computer fraud. Ignorance of these regulations will not excuse an infraction.

Any student found to reconfigure the pre-loaded software image will receive an out-of-school suspension. Other actions may include long-term suspension, expulsion, or any action deemed appropriate by the principal. Where North Carolina law is violated, law enforcement may be contacted and legal action taken.

### **Consequences**

<b><u>Elementary</u></b>	<b><u>Middle</u></b>	<b><u>High School</u></b>
Ranging from in-school disciplinary action up to 10 days OSS and possible recommendation for long-term suspension. Law enforcement may be contacted. Computer access and use may be revoked.	Ranging from in-school disciplinary action up to 10 days OSS and possible recommendation for long-term suspension. Law enforcement may be contacted. Computer access and use may be revoked.	Ranging from in-school disciplinary action up to 10 days OSS and possible recommendation for long-term suspension. Law enforcement may be contacted. Computer access and use may be revoked.

**Other actions in this range of consequences include:**

Student Conference

Parent Contact

Conference with Parent

Removal of unauthorized files and folders

Detention

Alternative School Program

Recommendation for Expulsion

Financial Charges for Damages

Court Referral

Restitution

Community Service

Revocation of Computer Access/Use

Law Enforcement Contact

Criminal Charges (possible felony)

Suspension

**Rule 28. Bus Misbehavior (Responsibility/Respect)/Citizenship UB: Insubordination, UB: Disruptive Behavior** — Students, at all times while riding a school bus or other school-owned or operated vehicle, shall observe the directives of the school bus driver and/or bus/contract vehicle safety monitor. The following conduct is specifically prohibited and may result in revocation of school system provided transportation privileges: delaying the bus schedule, fighting, smoking, using profanity or refusing to obey the driver's instructions, tampering with or willfully damaging the school vehicle, getting off at an unauthorized stop, distracting the driver's attention by participating in disruptive behavior while the vehicle is in operation, throwing objects from the bus, failing to observe and obey safety regulations, willfully trespassing on a school-owned or operated vehicle or violating any other Student Code of Conduct rules while on the school bus. This list is not meant to be all-inclusive, but to serve as a guideline for determining inappropriate behavior. If a violation of this rule also violates other rules of the Student Code of Conduct, consequences in addition to those listed below may be implemented.

**General School Bus Rules/Expectations**

Students will obey the instructions of the bus driver or bus monitor and will obey general safety rules and procedures at all times while on the school bus. Disruptive and distracting behavior presents a major safety risk and is prohibited.

Students will be courteous and respectful to one another and to school personnel. Therefore profane, disrespectful, and intimidating language and actions will not be tolerated.

Students will keep the bus clean and in good condition. Eating and drinking on the school bus is not allowed. Also, students will not damage school property or the property of others.

Students will remain seated and face the front while on the bus, will keep all objects including hands, feet, and head inside the bus at all times, and will keep the aisle clear of any obstructions.

Students will only load and unload the school bus at their authorized bus stop locations.

Students will be waiting at the bus stop when the bus arrives for pick up in order to prevent any unnecessary delays in the bus schedule.

Students will follow all applicable rules of the Student Code of Conduct while on the school bus, while at the bus stop, and while going to the bus stop or from the bus stop home.

General Safety Rules and Procedures include – remaining seated at all times while the bus is in motion, not distracting the driver's attention during the route, being respectful to others on the bus, not throwing items on or out of the bus at anytime, not tampering with school bus equipment or safety doors or windows, and not engaging in any act with endangers, impairs, or impedes the health, safety, or welfare of others on the bus or those around the bus.

Riding a school bus is a privilege and not a right. Therefore, students will follow the above rules and expectations in order to help make the school bus a safe place for students and school district employees.

**Consequences**

<b><u>Elementary</u></b>	<b><u>Middle</u></b>	<b><u>High School</u></b>
School assigned disciplinary action and/or bus suspension up to 10 days. Serious violations may result in OSS, permanent suspension from riding the bus, and may be referred to law	School assigned disciplinary action and/or bus suspension up to 10 days. Serious violations may result in OSS, permanent suspension from riding the bus, and may be referred to law	School assigned disciplinary action and/or bus suspension up to 10 days. Serious violations may result in OSS, permanent suspension from riding the bus, and may be referred to law

enforcement.	enforcement.	enforcement.
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## DPI Crime Definitions

### Crime Definitions

*\*Italicized offenses are considered dangerous and may lead to a school being designated "Persistently Dangerous." The threshold for this status is at least two dangerous acts and a ratio of at least five dangerous acts per thousand students.*

**1. Asalto que resulte en una lesión personal grave:** una oferta intencional o intento por la fuerza o violencia de dañar

causarle a la persona de otra persona que causa una aprehensión razonable de daño corporal inmediato que resulta en uno de los siguientes: (1) riesgo sustancial de muerte, (2) desfiguración permanente grave, (3) coma, (4) una afección permanente o prolongada que causa dolor extremo, (5) pérdida o deterioro permanente o prolongado de la función de cualquier miembro u órgano corporal, o (6) que resultados en la hospitalización prolongada. Si un delincuente usó un arma en un asalto que resultó en una lesión grave, informe el Asalto que resultó en lesiones graves y el asalto que involucre el uso de un arma.

**2. Assault Involving Use of a Weapon:** An intentional offer or attempt by force or violence to do injury to the person of another that causes reasonable apprehension of immediate bodily harm through the use of one of the following: (1) any gun, rifle, pistol, or other firearm, (2) BB gun, (3) stun gun, (4) air rifle, (5) air pistol, (6) bowie knife, (7) dirk, (8) dagger, (9) slingshot, (10) leaded cane, (11) switchblade knife, (12) blackjack, (13) metallic knuckles, (14) razors and razor blades, (15) fireworks, or (16) any sharp-pointed or edged instrument except instructional supplies, unaltered nail files and clips and tools used solely for preparation of food, instruction, and maintenance. If a firearm or other weapon is used in the commission of any offense, the type of weapon must be identified in the Weapon Used/Possessed column of the Data Collection Form.

**3. Agresión a funcionarios, empleados y voluntarios de la escuela:** una oferta intencional o intento por la fuerza o violencia de causar daño a un oficial, empleado o voluntario de la escuela que causa una aprehensión razonable de daño corporal inmediato mientras el oficial, empleado o voluntario de la escuela está cumpliendo o intentando cumplir con sus obligaciones.

Los "deberes" de un funcionario escolar, empleado o voluntario incluyen lo siguiente: (1) todas las actividades en la propiedad de la escuela, (2) todas las actividades durante un evento autorizado por la escuela o el acompañamiento de los estudiantes hacia o desde ese evento, y (3) todas las actividades relacionadas con la operación de transporte escolar.

Un empleado "incluye (1) uno que está empleado por una junta de educación local, (2) uno que está empleado por una escuela autónoma, (3) uno que está empleado por una escuela no pública que opera bajo la Parte 1 o la Parte 2 del Artículo 39 del Capítulo 115C de los Estatutos Generales, o (4) un contratista independiente si el contratista independiente o el empleado del contratista independiente realiza las tareas que habitualmente realizan los empleados de la escuela.

Un "voluntario" es uno que se ofrece sus servicios o presencia en cualquier actividad escolar y está bajo la supervisión de un empleado. Esta ofensa incluye asaltos al personal de la escuela que no involucran el uso de un arma y no resultan en lesiones aparentes graves.

**4. Hacer amenazas de bombas o involucrarse en engaños de bombas:** una persona que, con la intención de perpetrar un engaño, oculta, coloca o exhibe en un edificio público cualquier dispositivo, máquina, instrumento o artefacto, para causar que cualquier persona razonablemente creer que lo mismo es una bomba u otro dispositivo capaz de causar lesiones a personas o propiedades.

A public building" encompasses all educational property, as defined in GS 14-269.2, including: (1) any school building or bus, and (2) school campus, grounds, recreational area, athletic field, or other property owned, leased, or operated, by any board of education or school board of trustees or directors for the administration of any school. "Public buildings" also include: (1) hospitals, and (2) buildings that house only State, federal, or local government offices, or the offices of the State, federal, or local government located in a building that is not

exclusively occupied by the State, federal, or local government.

This offense includes when a person communicates a bomb threat by any means.

**5. Willfully Burning a School Building:** A person who wantonly and willfully sets fire to, burns, causes to be burned, or aids, counsels, or procures the burning of any schoolhouse or building owned, leased, or used by any public school, private school, college, or educational institution.

**6. Homicide:** A murder which is perpetrated by one of the following means: (1) nuclear, biological, or chemical weapon of mass destruction, (2) poison, (3) lying in wait, (4) imprisonment, (5) starving, (6) torture, (7) any other kind of willful, deliberate, and premeditated murder, (8) during the perpetration or attempted perpetration of an arson, rape, sex offense, robbery, kidnapping, burglary, or other felony committed or attempted with the use of a deadly weapon, (9) the unlawful distribution and ingestion by someone of opium or any other synthetic or natural salt, compound, derivative, or preparation of opium, cocaine, or methamphetamine resulting in death, or (10) all other types of murder.

**7. Kidnapping:** A person who unlawfully confines, restrains, or removes from one place to another, any other person 16 years of age or over without the consent of such person, or any

other person under the age of 16 years old without the consent of a parent or legal guardian of such person, shall be guilty of kidnapping if such confinement, restraint, or removal is for the purposes of one of the following: (1) holding such other person for a ransom, as a hostage, or using such other person as a shield, (2) facilitating the commission of any felony or facilitating the flight of any person following the commission of a felony, (3) doing serious bodily harm to or terrorizing the person so confined, restrained, or removed by any other person, (4) holding such other person in involuntary servitude, (5) trafficking another person with the intent that the person be held in involuntary servitude or sexual servitude, or (6) subjecting or maintaining such other person for sexual servitude.

**8. Ilegal, venta de menores, compra, provisión, posesión o consumo de bebidas alcohólicas:** será ilegal para una persona menor de 21 años poseer, vender, dar o comprar cualquier bebida alcohólica. También es ilegal que cualquier persona ayude e instale a una persona menor de 21 años en su intento de obtener una bebida alcohólica.

Una "bebida alcohólica" incluye lo siguiente: (1) bebida de malta, (2) vino fortificado, (3) vino no fortificado, (4) licor espumoso, (5) bebidas mixtas o (6) cerveza.

**9. Posesión de una sustancia controlada por infracción de la ley:** es ilegal que una persona posea o tenga en su inmediato control cualquiera de los siguientes: marihuana, heroína, LSD, metanfetamina, cocaína o cualquier otra droga incluida en la lista en los Anexos I - VI de la Ley de Sustancias Controladas de Carolina del Norte. (GS § 90-89 a 90-94.)

La posesión no autorizada de un medicamento recetado está incluida en esta ofensa.

The principal should confer with law enforcement personnel if there is doubt as to whether or not a certain drug is considered a controlled substance.

**10. Posesión de un arma de fuego:** es ilegal que cualquier persona posea o lleve, ya sea abiertamente u oculta cualquier arma, rifle, pistola u otro arma de fuego de cualquier tipo en propiedad educativa o en una actividad curricular o extracurricular patrocinada por una escuela.

Este delito no se aplica a una pistola BB, pistola paralizante, rifle de aire comprimido o pistola de aire comprimido.

Las personas autorizadas para portar armas en la propiedad de la escuela son oficiales de policía, bomberos y personal de servicios de emergencia cuando desempeñan sus funciones oficiales.

**11. Possession of a Weapon:** It is unlawful for any person to possess or carry, whether openly or concealed, any of the following weapons on campus or other educational property: (1) any BB gun, (2) stun gun, (3) air rifle, (4) air pistol, (5) bowie knife, (6) dirk, (7) dagger, (8) slingshot, (9) leaded cane, (10) switchblade knife, (11) blackjack, (12) metallic knuckles, (13) razors and razor blades, (14) fireworks, or (15) any sharp-pointed or edged instrument, except instructional supplies, unaltered nail files, clips, and tools used solely for preparation of food, instruction, maintenance.

"Educational Property" refers to any school building or bus, school campus, grounds, recreational area, athletic field, or other property owned, used, or operated by any

board of education or school board of trustees, or directors for the administration of any school. Persons authorized to carry weapons on school property are individuals carrying a concealed handgun with a permit as authorized by Chapter 14, Article 54B of the NC General Statutes as amended by Session Law 2013-369, and law enforcement officers, firefighters, and emergency service personnel when discharging their official duties.

**12. Rape:** A person is guilty of rape if that person engages in vaginal intercourse with another person by force and against the will of the other person, or if the person being assaulted is mentally disabled, mentally incapacitated, or physically helpless and the person performing the act knows or should reasonably know that the other person is mentally disabled, mentally incapacitated, or physically helpless.

La violación legal es el coito vaginal cometido en un niño menor de 16 años por una persona que tiene al menos 12 años y al menos 4 años más que la víctima, independientemente de si la víctima consintió.

**13. robo con un peligroso Weapon** Acualquier persona o personas, que, teniendo en su poder o con el uso o amenaza de uso de armas de fuego u otra arma peligrosa, implementar o medios, con lo que la vida de una persona está en peligro o amenazadas, ilegalmente toma o intenta tomar la propiedad personal de otro o desde cualquier lugar de trabajo, residencia o institución bancaria o cualquier otro lugar donde hay una persona o personas en la asistencia, en cualquier momento, ya sea de día o niGHT, o que ayude o incita a tal persona o personas en la comisión de tal crimen.

**14. SAsaltoexual (que no impliquen violación o Offens sexuelle):** Una persona es culpable de agresión sexual si él / ella, con el propósito de la excitación sexual, la satisfacción sexual, o abuso sexual, tenga relaciones sexuales con otra persona por la fuerza y contra la voluntad de la otra persona, o si la persona que está siendo agredida está mentalmente discapacitada, mentalmente incapacitada o físicamente indefensa y la persona que realiza el acto sabe o debe saber razonablemente que la otra persona está mentalmente discapacitada, mentalmente incapacitada o físicamente indefensa .



NCGS 14-27.1 define "contacto sexual" como tocar el órgano sexual, el ano, el seno, la ingle o las nalgas de cualquier persona o una persona que toque a otra persona con su propio órgano sexual, ano, seno, ingle o nalgas.

La diferencia entre un asalto sexual y un delito sexual es que el asalto sexual implica un contacto forzado e intencional sin penetración, y un delito sexual implica la penetración de un órgano o ano sexual por cualquier objeto, o tocar la boca o el ano de otra persona por el órgano sexual masculino. .

### ***15. Delito sexual:***

First-degree sexual offense: A person is guilty of a sexual offense in the first degree if the person engages in a sexual act with (1) a victim who is a child under the age of 13 years and the defendant is at least 12 years old and is at least four years older than the victim, or (2) with another person by force and against the will of the other person, and (a) employs or displays a dangerous or deadly weapon or an article which the person reasonably believes to be a dangerous or deadly weapon, (b) inflicts serious personal injury upon the victim or another person, or (c) the person commits the offense aided and abetted by one or more other persons.

Delito sexual con un niño (delincuente adulto): una persona es culpable de delito sexual con un niño si tiene al menos 18 años de edad y participa en un acto sexual con una víctima que es un niño y menor de 13 años de edad. . Ofensa sexual de segundo grado: una persona es culpable de una ofensa sexual en segundo grado si la persona participa en un acto sexual con otra persona (1) por la fuerza y contra la voluntad de la otra persona, o (2) que es mental discapacitada, mentalmente incapacitada o físicamente indefensa, y la persona que realiza el acto sabe o debería saber razonablemente que la otra persona está mentalmente incapacitada, mentalmente incapacitada o físicamente indefensa.

Violación legal o delito sexual de la persona que es de 13, 14 o 15 años de edad: Una persona es culpable si él/ella se involucra en relaciones sexuales vaginales o un acto sexual con otra persona que es de 13, 14 o 15 años de edad y la persona cometer el acto es al menos seis años mayor que la persona, excepto cuando la persona que comete el acto está legalmente casada con la otra persona.

***16. Teniendo indecentes libertades con una Minor:*** Una persona es culpable de tomarse libertades indecentes con un niño si, siendo de 16 años de edad o más y al menos cinco años mayor que el niño en cuestión, él/ella: (1) voluntariamente toma o **intentat** tomar cualquier libertad inmoral, impropia o indecente con cualquier niño de cualquier sexo menor de 16 años con el fin de despertar o gratificar el deseo sexual, o (2) comete o intenta voluntariamente cometer cualquier lasciva o acto lascivo sobre o con el cuerpo o cualquier parte o miembro del cuerpo de cualquier niño de cualquier sexo menor de 16 años. -A "lewd and lascivious act" is defined as an act that is obscene, lustful, or indecent, or tending to deprave the morals with respect to sexual relations

### **Due Process Procedures for Disciplinary Action**

The Mooresville Graded School District Board of Education assumes its responsibility to assure every student's right to an equal educational opportunity. The Board further assumes its responsibility to assure an atmosphere conducive to learning and the expression of individual responsibility while protecting the individual rights of all students in accordance with standards of due process required by law and accepted standards of fairness. These procedures provide, in instances of serious misconduct, timely written notice adequately stating the charge against the student and containing facts sufficiently particular to describe the nature of the offense, and an opportunity for a hearing.

These procedures govern disciplinary matters requiring the attention of the principal or principal's designee. These procedures are not designed to deal with ordinary classroom discipline. The law

requires that all teachers “maintain good order and discipline” and the Board joins with parents and students in supporting every reasonable effort of teachers to meet this obligation.

### **Short-Term Suspension Procedures**

Except as authorized in this section, no short-term suspension shall be imposed upon a student without first providing the student an opportunity for an informal hearing with the principal. The notice to the student of the charges may be oral or written, and the hearing may be held immediately after the notice is given. The student has the right to be present, to be informed of the charges and the basis for the accusations, and to make statements in defense or mitigation of the charges. The principal may impose a short-term suspension

without providing the student an opportunity for a hearing if the presence of the student creates a direct and immediate threat to the safety of other students or staff, or substantially disrupts or interferes with the education of other students or the maintenance of discipline at the school. In such cases, the notice of the charges and informal hearing described above shall occur as soon as practicable.

The principal shall provide notice to the student's parent of any short-term suspension, including the reason for the suspension and a description of the alleged student conduct upon which the suspension is based. The notice shall be given by the end of the workday during which the suspension is imposed when reasonably possible, but in no event more than two days after the suspension is imposed. The notice shall be given by certified mail, telephone, facsimile, email, or any other method reasonably designed to achieve actual notice.

A student is not entitled to appeal the principal's decision to impose a short-term suspension to the superintendent or local board of education. Further, such decision is not subject to judicial review.

### **Long-Term Suspension Information**

A principal may recommend to the superintendent the long-term suspension of any student who engages in conduct that violates a provision of the Student Code of Conduct that authorizes long-term suspension. Only the superintendent has the authority to long-term suspend a student.

Before the superintendent's imposition of a long-term suspension, the student must be provided an opportunity for a hearing consistent with GS 115C-390.8 (described below). If the student declines the opportunity for a hearing, the superintendent shall review the circumstances of the recommended long-term suspension and may impose the suspension if it is consistent with board policies and appropriate under the circumstances, may impose another appropriate penalty authorized by the board policy, or may decline to impose any penalty. **If the offense leading to the long-term suspension occurs during the final quarter of the school year, the exclusion may include a period up to the remainder of the school year in which the offense was committed and the first semester of the following school year.**

### **Long-Term Suspension and Appeal Procedures:**

1. When a student is recommended by the principal for long-term suspension, the principal shall give written notice to the student's parent. The notice shall be provided to the parent by the end of the workday during which the suspension was recommended when reasonably possible or as soon thereafter as possible. The written notice shall include a description of the incident, a reference to the rule in the Student Code of Conduct that the student violated, the

specific process by which the parent may request an appeal hearing, the process by which the hearing will be held, notice that the parent is permitted to retain an attorney or to have an advocate present during the appeal hearing, notice that the parent has the right to review and obtain copies of the student's educational records prior to the hearing, and reference to the board policy related to the expungement of discipline records as required by GS 115C-402. Written notice may be provided by certified mail, fax, email, or any other written method reasonably designed to achieve actual notice of the recommendation for long-term suspension.

2. No long-term suspension shall be imposed on a student until the opportunity for a formal hearing is provided to the student. If the student or parent wishes to appeal the recommendation, the student or parent shall, within 72 hours of receiving notice of the long-term recommendation, give written notice to the principal of their intention to appeal the principal's recommendation.

3. Upon notification by the principal of the requested appeal, the superintendent or designee shall convene a central office Appeals Committee to hear the appeal, establish a date and time agreeable to the parent, and give notification of the appeals hearing date and time to all parties involved. If no hearing is timely requested or if neither the student nor parent appears for the scheduled hearing, the parent and student are deemed to have waived their right to a hearing and the superintendent shall review the recommendation as described above and render a decision.

4. The Appeals Committee shall allow the school to present a summary report regarding the nature of the offense(s), provide the results of the schools' investigation and outline the penalties the principal has recommended. If requested, the student and his/her parent will have access to all the information shared with the appeals committee provided that access to the information does not allow the student or his or her representative to identify witnesses when such identification could create a safety risk for the witness. The student and his/her parent will be provided the opportunity to present evidence and be allowed to call witnesses.

The hearing may only be attended by the Appeals Committee members, the superintendent, the principal and/or designee, the student, the student's parents, and student's representative. Witnesses shall only be present when they are giving testimony to the Appeals Committee. No one other than committee members may be present during the Appeals Committee's deliberations.

The student may be represented by an adult other than the parents at the hearing. The adult may act within the parameters set by the Convener as a representative in the defense of the student. The adult may be an attorney. At the time of requesting the hearing, the student or parent must notify the principal in writing if he/she will be represented by an attorney. Failure to do so may cause the hearing to be rescheduled at a later date. The principal or designee may also be represented by an attorney.

The student may testify in his/her own defense and may be cross-examined. The student may not be compelled to testify and such action shall not be held against the student.

The Convener shall make a record of the hearing. The student, parent, or representative may make their own audio recording of the hearing as well.

5. The Appeals Committee, after hearing all the evidence and witnesses, will render one of two decisions: 1) that the rule in question was violated and affirm the decision of the principal to the superintendent or 2) that the rule in question was not violated and to recommend to the superintendent that the long-term suspension not be imposed.

The Appeals Committee shall reach its decision by majority vote.

The decision must be based solely on the evidence presented at the hearing and should state findings of fact on which the committee's decision rests.

The Convener will share the Appeals Committee's decision with the superintendent.

6. After hearing the Appeals Committee's decision, the superintendent may uphold the recommendation for long-term suspension, may impose another appropriate penalty authorized by board policy, or may decline to impose any penalty. The superintendent will notify the parent in writing of both the Appeal Committee's decision and his/her decision. If the superintendent upholds the long-term suspension recommendation, the written notification will advise the student and parent of their right to an appeal to the board of education. The student or parent shall, within 72 hours of receiving the notification, given written notice to the superintendent of their intention to appeal the superintendent's decision to the board of education. Implementation of the disciplinary action will be imposed pending the outcome of the appeal to the board of education. Such an appeal must be made on the record made in the initial hearing before the Appeals Committee. New evidence may be admitted only to avoid injustice and the board may alter the superintendent's decision of the matter only if it finds the decision clearly in error. Procedures for an appeal to the board of education can be found in Policy 2500 of the Mooresville Graded School District Board Policy Manual. The appeal to the board of education will be heard and a final written decision issued in not more than 30 calendar days following the request for such appeal.

7. The decision of the board of education is subject to judicial review in accordance with Article 4 of Chapter 150B of the General Statutes.

Students who are long-term suspended shall be offered alternative education services unless the superintendent provides a significant or important reason for declining to offer such services.

Significant or important reasons include, but are not limited to:

The student exhibits violent behavior.

The student poses a threat to staff or other students.

The student substantially disrupts the learning process.

The student otherwise engaged in serious misconduct that make the provision of alternative educational services not feasible.

Educationally appropriate alternative education services are not available in the local school administrative unit due to limited resources.

The student failed to comply with reasonable conditions for admittance into an alternative education program.

If the superintendent declines to provide alternative education services to the suspended student, the student may seek review of such decision by the local board of education as permitted by GS 115C-45(c)(2). If the student seeks such a review, the superintendent shall provide to the student and the local board, in advance of the board's review, a written explanation for the denial of services together with any documents or other information supporting the decision.

### **365-Day Suspension and Expulsion Recommendations**

The principal shall recommend to the superintendent the 365-day suspension of any student who brings a firearm or destructive device on educational property, or to a school-sponsored event off educational property or who assaults a teacher, student, or in some instances as described in GS 115-391 (d1) and/or who communicates a false bomb report or perpetrates a bomb hoax as described in GS 115-391 (d3). The principal may recommend to the superintendent a long-term suspension for up to 365 days for any student who by means of communication makes an attempt to perpetuate a hoax or act of terror as described in GS 115-391 (d4). The board may modify the suspension upon recommendation of the superintendent. The board may also elect to provide educational services in an alternative setting. (GS 115C-391(d1)). The superintendent shall not impose a 365-day suspension if the superintendent determines that the student took or received the firearm or destructive device from another person at school or found the firearm or destructive device at school, provided that the student delivered or reported the firearm or destructive device as soon as practicable to a law enforcement officer or a school employee and had no intent to use such firearm or destructive device in a harmful or threatening way.

Upon the recommendation of the superintendent, the local board of education may expel any student 14 years of age or older whose continued presence in school constitutes a clear threat to the safety of other student or school staff. Prior to the expulsion of any student, the local board shall conduct a hearing to determine whether the student's continued presence in school constitutes a clear threat to the safety of other students or school staff. The student shall be given reasonable notice of the recommendation in accordance with GS 115C-390.8(a) and (b), as well as reasonable notice of the time and place of the scheduled hearing. During the expulsion, the student is not entitled to be present on any property of the local school administrative unit and is not considered a student of the local board of education.

### **Requests for Readmission**

#### **Returning to School from a Long-Term Suspension**

Before returning to school from a long-term suspension, the student/parent must schedule a re-entry meeting with the school principal. The superintendent or designee may also be present at this meeting. The purpose of this meeting is to clearly discuss expectations for student academic effort and behavior upon the return to school in order to help insure success. A Re-entry Contract signed by each party

may be used as a condition of returning to school from long-term suspension. The parent or student must contact the school principal to arrange this meeting prior to returning to school.

### **Returning to School from a 365-day Suspension or Expulsion**

All students suspended for 365 days or expelled may, after 180 calendar days from the date of the beginning of the student's suspension or expulsion, request in writing readmission to

the local school administrative unit. Decisions on readmission shall be issued within 30 days of the petition. A decision by the local school board to deny readmission is not subject to judicial review. If a student is readmitted, the board and the superintendent have the right to assign the student to any program within the school system and to place reasonable conditions on the readmission.

Students suspended for 365 days will submit their written request for readmission to the superintendent, who will determine whether or not to admit the student prior to the end of the 365 day suspension. If the superintendent decides not to re-admit the student prior to the end of the 365 day suspension, the student may appeal that decision to the local school board pursuant to GS 115C-45(c). The superintendent shall notify the parent of their right to appeal.

Students expelled from school will submit their written request for readmission to the superintendent. The local board of education shall consider all petitions for readmission of expelled students, together with the recommendation of the superintendent on the matter, and shall rule on the request for readmission. The local school board shall consider the petition based upon records submitted by the student and the response by the administration and shall allow the parties to be heard in the same manner as provided by GS 115C-45(c). The student shall be readmitted if the student demonstrates to the satisfaction of the board or superintendent that his or her presence in a school no longer constitutes a clear threat to the safety of other students or staff.

### **Expungement of Disciplinary Actions**

According to GS 115C-402(b), a student's official school record shall contain, as a minimum, adequate identification data including date of birth, attendance data, grading and promotion data, and such other factual information as may be deemed appropriate by the local board of education having jurisdiction over the school wherein the record is maintained. Each student's official record also shall include notice of any long-term suspension or expulsion imposed pursuant to GS 115C-390.7 through GS 115C-390.11 and the conduct for which the student was suspended or expelled. The superintendent shall expunge from the record the notice of suspension or expulsion if the following criteria are met:

The student's parent, legal guardian, custodian, or the student (if at least 16 years old or emancipated) makes a request for expungement.

The student either graduates from high school or is not expelled or suspended again during the two-year period commencing on the date of the student's return to school after the expulsion or suspension.

The superintendent determines that the maintenance of the record is no longer needed to maintain safe and orderly schools.

The superintendent determines that the maintenance of the record is no longer needed to adequately serve the child.

## **Role of Teachers and Administrators In School Safety and Student Discipline**

Effective December 1, 1993, state law requires a principal or designee to immediately report to law enforcement agencies (sheriff or police) certain acts that occur on school property. When the principal has personal knowledge or actual notice that one of the acts listed below has occurred on school property, the principal shall immediately report the act to the appropriate local law enforcement agency. Once the principal reports the act(s) to the school's resource officer (SRO), he/she will input the information into the discipline daily report to the Department of Public Instruction. For purposes of this subsection, "school property" shall include any public school building, bus, public school campus, grounds, recreational area or athletic field in the charge of the principal. (GS 115C-307(a)) Teachers and other school employees have a legal obligation to report these same acts to the principals. (GS 115C-288(g))

Required reportable acts are as follows:

- Assault resulting in serious injury
- Assault involving use of a weapon
- Assault on school personnel
- Bomb threat
- Burning of a school building
- Death by other than natural causes
- Kidnapping
- Possession of alcoholic beverage
- Possession of a controlled substance
- Possession of a firearm or powerful explosive
- Possession of a weapon
- Robbery with a dangerous weapon
- Robbery without a dangerous weapon
- Taking indecent liberties with a minor
- Rape
- Sexual offense
- Sexual assault (not involving rape or sexual offense)

Note: Reportable does not indicate an automatic petition to the juvenile court system. The school resource/law enforcement officer will make a determination whether to refer the act(s) to the Department of Juvenile Justice and Delinquency Prevention or divert the case to a community resource.

### **Powers and Duties of the Principal**

The principal shall have authority to exercise discipline over the pupils of the school under the policies adopted by the local board of education in accordance with GS 115C-390.1 through GS 115C-390.12. The principal may use reasonable force pursuant to GS 115C-390.3 and may suspend students pursuant to GS 115C-390.5. The principal shall assign duties to teachers with regard to the general well-being and the medical care of students under GS 115C-307 and Article 26 A of chapter 115C.

### **Duties of Teachers (GS 115C-307 (a))**

To Maintain Order and Discipline—It shall be the duty of all teachers, including student teachers and teacher assistants, when given authority over some part of the school program by the principal or supervising teacher, to maintain good order and discipline in their respective schools.

#### **School Personnel May Use Reasonable Force (GS 115C-390.3)**

Except as restricted or prohibited by rules adopted by the local board of education, principals, teachers, substitute teachers, voluntary teachers, teacher assistants and student teachers in the public schools of this state may use reasonable force in the exercise of lawful authority to restrain or correct pupils, to quell a disturbance threatening injury to others, to obtain possession of weapons or other dangerous objects on the person, or within the control of a student, for self-defense, for the protection of persons or property, and to maintain order on educational property, in the classroom, or at a school-related activity on or off educational property.

#### **Assault on a Teacher or Other School Employee**

According to GS 115C-391(d2, section 1) any student who is at least 13 years of age who physically assaults or seriously injures a teacher or other school system employee shall be placed in an alternative educational setting. By definition, “seriously injured” means requiring medical attention or first aid. Individual students guilty of assaulting employees shall be disciplined in accordance with school board policies, system conduct procedures and the state laws of North Carolina. This includes, but is not limited to, reporting the incident to local law enforcement, filing a juvenile petition with the juvenile court system and the injured employee taking legal action against the student.

#### **North Carolina High School Athletic Association Eligibility Regulation**

Any student subject to the NCHSAA eight-semester rule who (1) is convicted of a crime classified as a felony under North Carolina or federal law or (2) is adjudicated delinquent for an offense that would be a felony if committed by an adult is not eligible to participate in the North Carolina High School Athletic Association sports program.

### **Investigations and Searches**

#### **Investigations**

All employees and students, including students alleged to have engaged in misconduct, are expected to respond fully and truthfully to any questions or issues raised in the course of the investigation and any related proceedings. Any student who has violated board policy, school standard, school rule or the Student Code of Conduct must accept the consequences for his or her misbehavior. All consequences must be administered in a fair and nondiscriminatory manner.

The school administrator shall take the following steps in addressing all cases of alleged misbehavior appropriately referred to his or her office:

- investigate the facts and circumstances related to the alleged misbehavior;
- offer the student an opportunity to be heard on the matter; and
- determine whether board policy, school standard, school rule or the Student Code of Conduct has been violated.

To maintain order and discipline in schools and to protect the safety and welfare of students and school personnel, school authorities may search as student, student lockers, or student



automobiles under the circumstances outlined below and may seize any illegal, unauthorized or contraband materials discovered in the search.

As used in this policy, the term “unauthorized” means any item dangerous to the health or safety of students or school personnel, or disruptive of any lawful function, mission or process of the school, or any item described as unauthorized in school rules available beforehand to the student.

A student's failure to permit searches and seizures as provided in this policy will be considered grounds for disciplinary action.

### **Personal Searches**

A student's person and/or personal effects (eg, purse, book bag, etc.) may be searched whenever a school authority has reasonable suspicion to believe that the student is in possession of illegal or unauthorized materials and it is reasonable to believe the materials could be found on the student's person or in the student's personal effects, given its size or shape. Reasonable suspicion is not required if a student freely, voluntarily, or knowingly consents to the search.

If a frisk or “pat down” search of a student's person is conducted, it will be conducted in private by a school official of the same sex and with an adult witness of the same sex present, when feasible. If the school official has reasonable suspicion to believe that the student has on his or her person contraband or an item imminently dangerous to the student or others, a more intrusive search of the student's person may be conducted. Such a search may only be conducted in private by a school official of the same sex, with an adult witness of the same sex present, and only upon the prior approval of the superintendent, unless the health and safety of students will be endangered by the delay which might be caused by following these procedures.

### **Locker Searches**

Student lockers are school property and remain at all times under the control of the school; however, students are expected to assume full responsibility for the security of their lockers. School authorities may conduct periodic inspections of lockers at any time without notice, without consent, and without a search warrant. Student lockers may not be used to store illegal, unauthorized, or contraband materials. A student's personal effects may only be searched pursuant to guidelines provided in section “personal searches” above.

### **Automobile Searches**

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of school-controlled parking lots and inspections of exteriors of student automobiles on school property. Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant. The interiors of student vehicles may be inspected whenever a school authority has reasonable suspicion to believe that illegal or unauthorized materials are contained inside. Reasonable suspicion may be based upon objects in the interior of the car that are in plain view. Refusal to allow the search of an automobile may result in suspension or other appropriate punishment.

### **Seizure of Unauthorized Materials**

If a properly conducted search yields unauthorized, illegal, or contraband materials, such materials or items shall be turned over to the proper legal authorities.

### **Interrogation**

If the interrogation of a student indicates that the completion of the interrogation should be carried out by a police officer or other legal officer, the principal shall make a reasonable attempt to notify parents (except in cases of suspected child abuse or neglect by parent) and give them a reasonable opportunity to be present at the time of questioning.

### **Weapons at School**

The Mooresville Graded School District Board of Education is committed to providing an educational environment that is safe, orderly and free of disruptive behavior. The state laws of North Carolina and the policies and procedures of the school system prohibit the possession of weapons on school property. Anyone found in possession of a weapon at school will be reported to local law enforcement and will be subject to disciplinary action.

Note: The State Department of Public Instruction's School Crime and Violence Incidence Report require schools to consider pocket knives as weapons.

### **Metal Detectors**

In accordance with the board of education's policies and procedures on searches and seizures and in appropriate instances, metal detectors may be used by school staff to identify and locate weapons or other contraband on school property, at school events or as otherwise authorized by law.

### **Care of School Property (GS 115C-523)**

It shall be the duty of every teacher and principal in charge of school buildings to instruct the children in the proper care of public property. It is their duty to exercise due care in the protection of school property against damage, either by defacement of the walls and doors or any breakage on the part of the pupils, and if they shall fail to exercise a reasonable care in the protection of property during the day, they may be held financially responsible for all such damage. Notwithstanding any other provisions of law, the parents or legal guardians of any minor are liable for any gross negligence or willful damage or destruction of school property by that minor to the extent of five thousand dollars (\$5,000).

### **Recommended Use of Police Canines on School Property**

The principal or his/her designee may request a law enforcement agency to use a drug dog whenever he/she feels there is reasonable suspicion to conduct a search on school property.

The principal may honor the request of the sheriff or chief of police to use drug dogs if the principal feels the request is based on reasonable suspicion. The principal may allow drug dogs to be used anywhere on the school campus, including unoccupied classrooms, athletic facilities and vehicles.

At no time shall a principal permit the search of a student or employee using a drug dog.

If the drug dog indicates the presence of an illegal drug, the search/seizure and all subsequent activity shall be conducted in accordance with board of education policy dealing with substance use/abuse.

### **High School Individual Class Attendance**

Individual class absences may not exceed six (6) in a block class per semester grading period. Exceeding these limits will result in failure for that semester. If a student has a passing average and exceeds six absences in a semester class, the student will receive an FF as their final grade for the course. If a student has a failing average and exceeds six absences in a semester class, the student will receive the failing average as their final grade for the course. A school attendance policy appeals committee shall be established to hear appeals. This appeals committee shall consider student/family hardships and any extenuating circumstances of the student in addition to the student's attendance record. Students must present documentation to the appeals committee justifying all class absences beyond the allowable limits. Students are responsible for providing evidence that the excessive absences were lawful in accordance with the State Department of Public Instruction's School Attendance and Student Accounting Manual and school board policy.

The decision of the appeals committee may be appealed to the school principal. For the purpose of this policy, being out of class as a result of participation in field trips, athletics or other school-sponsored activities approved by the principal does not count as class absences.

### **Student Transfer Information**

The Mooresville Graded School District Board of Education may revoke a student's transfer during the school year or deny a request to transfer based on a violation or violations of the system's Student Code of Conduct.

### **Required Use of School Technology Resources and the Internet**

Students shall not violate any policies adopted by the Board of Education regarding student Internet and electronic mail usage or the terms of student Internet and electronic mail responsibility agreements. Specifically, students must not access inappropriate materials on the Internet as may be defined under such Internet policy; should not violate any safety and security rules when using electronic mail, chat rooms, or other forms of electronic communication, as provided under the Internet policy; should not engage in unauthorized access ("hacking") or other unlawful activities on-line while using school system computer equipment or Internet access; and should not engage in unauthorized disclosure, use and/or dissemination of personal and/or identification information in violation of guidelines of the Internet policy or otherwise act in contravention of the system's Internet policy. Violations of such Internet rules, regulations and/or policy may result in disciplinary action by school officials.

### **Use of Videotape Recorders on School Buses**

It is the practice of the Mooresville Graded School District to utilize videotape recorders on school buses. Utilization of such videotape recorders shall be for the purposes of identifying safety concerns and to substantiate bus conduct violations.

Such videotape recordings may be periodically and regularly reviewed by school officials and are considered confidential but may be disclosed as part of school disciplinary proceedings or safety programs.

The placing of a student on a school bus shall constitute parental consent to have a child videotaped in such a manner.

### **Equal Education Opportunity Commitment**

It is the policy of the Board of Education for the Mooresville Graded School District that no student be excluded from, be denied the benefits of, or be subject to discrimination in any education program or activity solely on the basis of age, sex, race, color, religion, national origin, disability, or in employment policies and practices in accordance with Title IX of the Educational Amendments of 1972. Details of this policy are in the Mooresville Graded School District Board Policy Manual. (Policy Code: 1720/4015/7225 and Policy Code: 1710/4021/7230)

### **Grievances regarding alleged sexual harassment may be raised according to the procedures outlined in Board Policy.**

Details of grievance policies for students, parents, and employees are in the Mooresville Graded School District Board Policy Manual. (Policy Code: 1740/4010) (Policy Code: 1750/7220)

Adopted: July 2, 2001	Revised: August 11, 2009	Revised: June 12, 2015
Revised: July 1, 2003	Revised: July 20, 2010	Revised: June 13, 201
Revised: July 5, 2005	Revised: August 9, 2011	Revised: July 17, 2017
Revised: July 3, 2006	Revised: August 14, 2012	Revised: July 26, 2018
Revised: July 16, 2007	Revised: June 18, 2013	Revised: July 1, 2019
Revised: July 8, 2008	Revised: June 23, 2014	

**Please go to the following page for the pull-out “*Required Signature Form*”.**



**MOORESVILLE GRADED SCHOOL DISTRICT**

## **Required Signature Form**

**To be completed by all students and parents and returned to school.  
(Detach from book and return to your child's school.)**

**Student Name: \_\_\_\_\_ (Please Print)**

**I have received a copy of the Mooresville Graded School District Student Code of Conduct. I understand that all students are expected to abide by these rules. I also understand that principals and teachers may develop rules that are necessary for the efficient operation of school, and such rules may not be included in this publication.**

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**Student Signature**

**Date**

**(If the student is a minor, signature of a parent/guardian is also required.)**